

1. Bail Application No. 1125 of 2020 CNR No.
PBAS010034042020
State vs Paramjit Singh
2. Bail Application No. 1128 of 2020 CNR No. PBAS010034
052020
State vs Rajwinder Singh

Present : Shri P.S.Bhinder, Adv., counsel for the petitioners.
Shri Gurinderbir Singh, Public Prosecutor for the State

ORDER

Police record is received.

Heard. Allegations against the petitioners are that Rajwinder Singh is owner of 3 acres of prime land. He agreed to exchange his that land with 5 acres land of Hardev Singh and also would receive an amount of Rs.35.50 lacs and that agreement was executed between Rajwinder Singh and Gurnam Singh, as Gurnam Singh undertook to get the transaction completed on behalf of Hardev Singh. In total, Rajwinder Singh received an amount of Rs.29 lacs towards that transaction, but ultimately on the stipulated date, he backtracked and thus, Gurnam Singh had to get sale deed executed in his name from Hardev Singh. Therefore, on the complainant of Gurnam Singh, the present FIR under Section 420

IPC has been registered against the petitioners. Petitioners Paramjit Singh and Talwinder Singh are sons of Rajwinder Singh. Now, anticipating their arrest, petitioners seek anticipatory bail, which is opposed by learned Public Prosecutor, after having been noticed.

From the entire aforesaid scenario, it is still debatable as to whether any criminal offence is made out. The transaction, in question, is prima facie purely of civil nature. Moreover, Paramjit Singh and Talwinder Singh are not privy to the agreement of sale. They are neither parties to the said agreement nor they are witnesses of it. So, keeping in view the aforesaid background, I am of the opinion that police custodial interrogation of none of the petitioners is required. Therefore, both the anticipatory bail applications are allowed and interim orders dated 9.3.2020 passed in aforesaid two bail applications are made absolute, subject to the same conditions as reflected therein. Copy of this order be placed in the file of bail application No.1128 of 2020 titled "State vs Rajwinder Singh". Files be consigned to the record room.

Pronounced:
18.3.2020.
Shashpal Singh, Stenographer-I

(B.S.Sandhu)
Sessions Judge, Amritsar
(UID No.PB0026).

