

**In the court of Sh. Vishesh,
Additional Sessions Judge, Fazilka.
(UID No. PB-0228)**

	B.A No.1757/2021. CNR No. PBFZC0-0055732021. Date of Order:-13.09.2021.
--	--

Gurnam Singh aged 53 years son of Rulia Singh resident of Village Chak Kheowala P.S. Arniwala Tehsil and District Fazilka.

.....Applicant-accused.

Versus.

State of Punjab.

.....Respondent.

FIR No.101 dated 23.07.2021.
U/s 420, 465, 467, 468, 471, 120-B of IPC.
Police Station Arniwala.

[Bail application U/s 438 of Cr.P.C.]

Present: Sh. Krishan Sehgal, Adv., counsel for applicant.
Sh. Amit Goklaney, Addl. PP for the State.

ORDER:

Present order of mine shall dispose off bail application filed by applicant-Gurnam Singh.

2. Brief facts of the bail application are that a false FIR has been registered against the applicant. It has been stated that the police authorities have not properly investigated the matter and the present FIR has been registered in haste manner without collecting any document and recording statement of applicant. It has been stated that applicant has not committed any offence. Hence, it is prayed that applicant be admitted to bail.

3. Upon notice, learned Addl.PP for State appeared and contested

the bail application. He has argued that similar bail application of co-accused Roop Singh, Roshan Lal and Gurbachan Singh have already been dismissed by this Court on 19.08.2021, 06.09.2021 and 07.09.2021 respectively. Hence, prayed that bail application be dismissed.

4. I have heard learned counsel for applicant, learned Addl.PP for State and have gone through the records of the case file carefully.

5. In brief, the facts of the present case are that the present FIR was registered at the instance of Nirvair Singh on the application moved by him before the SSP, Fazilka, whereby it was stated that complainant alongwith his father and brother Angrej Singh had executed an agreement to sell regarding land measuring 39 kanals 09 marlas in favour of Sandeep Kumar on 01.03.2021 and took an amount of Rs.15,00,000/- as earnest money from Sandeep Kumar. Date fixed for registration of sale deed was 20.05.2021. The land was mortgaged with bank and in order to execute the sale deed, the said land was required to be redeemed from the concerned bank. On 22.04.2021, he repaid the loan amount of the bank by taking Rs.14,00,000/- (in total Rs.29,00,000/-) from Sandeep Kumar. However, before the date of registration of the sale deed, the applicant alongwith co-accused started spreading rumors in the village that father of complainant Jangir Singh had already executed agreement with regard to land measuring 20 kanals 2 marlas in favour of applicant Gurnam Singh. However, no such agreement was ever executed by his father or brother in favour of applicant Gurnam Singh. It was further reposed that non-applicant Roop Singh was running business of property dealings and previously also he had cheated innocent people by preparing forged documents on their behalf. Now also applicant Gurnam Singh alongwith Roop Singh and two other unidentified persons had conspired and prepared

the forged agreement to sell purported to be executed by father and brother of complainant in favour of applicant Gurnam Singh and were threatening to implicate the complainant and his family in false case, if they don't execute sale deed in their favour. On the basis of said application, the present FIR was registered. Close perusal of the police record goes on to show that applicant has connived with co-accused in forging and fabrication of an agreement to sell alleged to be executed by Angrej Singh, father of complainant, when he was taken to Ferozepur on the pretext of filling up the bail bonds and surety bonds in FIR No.75 dated 13.06.2021 under Sections 307, 458, 324, 323, 148, 149 of IPC P.S. Arniwala. Applicant is alleged to be beneficiary of the agreement in question. The allegations against the applicant are serious in nature. The original documents are yet to be recovered from the side of accused-applicant, for which his custodial interrogation is necessary. If the applicant is admitted to anticipatory bail, there is every likelihood that he will hamper the process of investigation. Consequently, finding no merits in the present bail application, the same is hereby dismissed. File be consigned to the record room.

Pronounced in open court.
Dt.13.09.2021.

'Vinay'

(Vishesh)
Addl. Sessions Judge,
Fazilka. UID No: PB0228