

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

204

CRM-M No.15207 of 2015.

Date of Decision: May 20, 2015.

Samunder

....Petitioner.

VERSUS

State of Haryana

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. Sushil Jain, Advocate for the petitioner.

Ms. Trishanjali Sharma, Assistant Advocate General, Haryana.

SNEH PRASHAR, J.

The present petition has been filed under Section 439 of the Code of Criminal Procedure (in short, "Cr.P.C.") for grant of concession of regular bail to petitioner Samunder son of Kewal Singh in case bearing First Information Report No.496 dated 27.11.2014 under Sections 419, 420, 467, 471, 120-B/34 of the Indian Penal Code (in short, "I.P.C.") registered at Police Station City, Sonipat.

The submissions made by learned counsel representing the petitioner and learned counsel representing the State of Haryana have been considered.

It was submitted on behalf of the petitioner that the sale deed in favour of the complainant with regard to the land, a part of which had

already been acquired by the railway department, was executed by owners of the land namely, Santosh and Surender. He was not the beneficiary of the sale nor any amount was received by him as commission. Submitting that the petitioner is in custody since 20.01.2015 and the trial of the case is still likely to take some time, learned counsel prayed that the petitioner be enlarged on regular bail.

The petition was opposed by learned Assistant Advocate General, representing the State of Haryana.

It is not the allegation that the petitioner was the owner of the land sold to the complainant, a part of which had been acquired by the railway department. Prima-facie also he is not the executant of the sale deeds in favour of the complainant. In any case, the petitioner is in judicial custody since 20.01.2015 and nothing remains to be recovered from him. The trial of the case will take some time whereas there appears no plausible ground to detain the petitioner further in custody. As such, the petitioner is admitted to bail, subject to his furnishing bail/ surety bonds, to the satisfaction of Area Magistrate/Trial Court, Sonipat.

(SNEH PRASHAR)
JUDGE

May 20, 2015
jitender