

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

206

CRM-M No.17631 of 2015

Date of Decision: June 12, 2015

Ami Lal

...Petitioner

Versus

The State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Ashok Kumar Khunger, Advocate
for the petitioner.

Ms. Tanisha Peshawaria, Deputy Advocate General, Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of the counsel for the petitioner that the petitioner was arrested on 23.06.2014. He contends that the allegations against the petitioner although are that he had impersonated himself as the owner (Radha Krishan) of the land and has put his thumb impression but as a matter of fact, the petitioner agreed to sell his land for which he has received an amount of ₹1 lakh. He further contends that the petitioner being an illiterate had put thumb impression on the asking of the other co-accused, who admittedly are property dealers through whom the petitioner has also agreed to execute the agreement to sell and was selling his land. He contends that out of 24 witnesses, which is admitted by the State, only one has been examined and, therefore, 23 witnesses are still to be examined. Petitioner is in custody for almost one year now and the trial is not likely to conclude soon and, therefore, the concession of bail may be granted to the petitioner, specially in the light of the fact that co-accused Tilak Raj has

been granted bail by this Court by order dated 21.04.2015 in CRM-M No.4200 of 2015, who was arrested on 02.10.2014.

Counsel for the State, on instructions from ASI Amit Kumar, P.S. Rania, District Sirsa, submits that the assertion of the counsel for the petitioner that the petitioner had agreed to sell the land through the other co-accused for an amount of ₹1 lakh, is incorrect, as there is nothing on record to suggest the same. She could not dispute the fact that the petitioner is in custody since 23.06.2014 and out of 24 witnesses, only one has been examined. The fact that Tilak Raj, co-accused has been released on regular bail by this Court is also not disputed.

In view of the above submissions made by the counsel for the parties, as the trial is not likely to conclude soon as 23 witnesses are left to be examined and the petitioner is in custody since 23.06.2014, apart from that the accused Tilak Raj has been released on regular bail, the prayer made in the present petition is allowed.

Petitioner is directed to be released on bail to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Sirsa.

June 12, 2015

Puneet

**(AUGUSTINE GEORGE MASIH)
JUDGE**