

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

CRM-M-25795-2015 (O&M)
Date of decision : 11.08.2015

Jaibir Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Bipan Ghai, Sr. Advocate,
with Mr. Mandeep Kaushik, Advocate,
for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana
assisted by ASI Ranbir Singh.

JITENDRA CHAUHAN, J.

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in case FIR No.193 dated 19.03.2015, registered under Sections 420/120-B of the Indian Penal Code, at Police Station State Jhajjar, Distt. Jhajjar.

The learned counsel contends that the petitioner, being Lambardar, rightly identified Om Prakash, who was present in the Court. It is contended that the petitioner has been named in the present FIR on the ground that in the earlier transaction pertaining to the same

land, he had identified Om Prakash and the petitioner was already in the knowledge that the land had been transferred in the name of the son of said Om Prakash.

On the other hand, the learned State counsel, on instructions, submits that the petitioner, knowing fully well that the land had already been transferred in the name of the son of vendor, Om Prakash, identified him for consideration, which is duly corroborated from the disclosure statement of the co-accused, wherein, it is specifically reflected that the petitioner accepted Rs.10,000/-.

Heard.

The allegation against the petitioner is that he identified Om Prakash. The fact whether the petitioner was in the knowledge that the said land was the subject matter of the earlier sale deed, is a matter of trial. The petitioner is in custody since 17.05.2015. Though, the challan has already been presented, but the trial is yet to commence.

In view of the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds/surety bonds, to the satisfaction of the trial Court.

11.08.2015
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(JITENDRA CHAUHAN)
JUDGE