

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

Cr. Misc. M 35337 of 2014
Date of decision:- 7.1.2015

Surender

Petitioner

vs.

State of Haryana

Respondent

Present: Mr. PR Yadav, Advocate.
Mr. Anil Kumar Yadav, Addl.A.G. Hry

M.M.S.BEDI,J.

This order will dispose of two petitions, one filed by Surender (CRM M 35337 of 2014) and the other filed by Baljeet Namberdar (CRM M 37453 of 2014).

As per story of the prosecution, the complainant Bhagwan Singh and others alleged that Asha Ram, original owner of the property, had given the land for cultivation to the complainants but on the basis of impersonation, sale deed dated 13.3.2014 was executed in favour of one Pawan Kumar fraudulently. So far as petitioner Surender is concerned, he is a witness to the sale deed. Petitioner Baljeet Namberdar as a Namberdar had allegedly affixed his thumb impression as a witness.

On asking of the court, learned State counsel, on the instructions of ASI Hanuman Singh, informs that the complainants are still in possession of the property. It will be debatable, during the course of trial, whether the complainants have got locus standi to launch prosecution u/s 467/471 IPC against the petitioners, having no title in the property, which has been allegedly transferred. Challan has already been presented. As the petitioners are in custody since 28.8.2014, they can be granted the concession of bail.

Both the petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail bonds/ surety bonds to the satisfaction of the trial court.

January 7 ,2014
TSM

(M.M.S.BEDI)
JUDGE