

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-36549 of 2015
Date of Decision: 08.12.2015

Surjeet Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. Prabhjot Singh, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.202 dated 21.8.2014 under Sections 465, 467, 468, 471, 120-B IPC registered at Police Station Sadar Jalalabad (W), District Fazilka.

As per the averments made in this petition, father of the petitioner namely Fauja Singh was allotted 25 kanal 3 marla land in the year 1984 by the Provincial Government. Similarly, 21 kanal 8 marla land was also allotted to him in the year 1996. Father of the

petitioner died on 7.12.1997. The allegation against the petitioner is that he got the ownership of the said land entered in his name and further, executed a sale deed in favour of Jangir Singh, selling 5 kanals of land.

Learned counsel for the petitioner submits that the whole land i.e. 46 kanals and 11 marlas was entered in the name of the petitioner on the basis of consent of other co-sharers and out of this land, he sold 5 kanals of land belonging to his share.

Learned State counsel, on instructions from ASI Savinder Singh, submits that the petitioner was not authorised to enter into any sale within the locking period of 20 years.

Heard.

Considering the fact that the petitioner is in custody since 5.3.2015 and the offence is triable by a Magistrate and the trial is not likely to conclude in the near future, as out of 14 witnesses, only four witnesses have been examined so far, petitioner is admitted to regular bail subject on his furnishing of bail bonds/surety bonds to the satisfaction of the trial Court.

However, it is made clear that the observations made here-in-above shall not be construed as any expression on the merits of the case and the trial Court shall decide the case on the basis of evidence as available on record.

December 08, 2015
AK

(HARI PAL VERMA)
JUDGE