

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

CRM No.M-4182 of 2015

Date of Decision:-18.2.2015

Anil Saini

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR

Present: Mr.Vineet Chaudhary, Advocate for the petitioner.

Mr.Naveen Sheoran, DAG Haryana for the State.

MEHINDER SINGH SULLAR , J. (Oral)

The petitioner has preferred the instant petition for the grant of concession of regular bail, in a case registered against him along with his other main co-accused, namely, Maha Singh s/o Dhajjan Singh, Rekha w/o Karambir, Dayanand s/o Madan Lal, Rajender s/o Pale Ram and Dinesh etc., vide FIR No.729 dated 6.6.2014, on accusation of having committed the offences punishable under sections 420, 467, 468, 471, 120-B and 511 read with section 34 IPC, by the police of Police Station City, Panipat.

2. Notice of the petition was issued to the State.
3. After hearing the learned counsel for the parties, going through the record with their valuable help and considering the entire matter deeply, to my mind, the present petition for regular bail deserves to be accepted in this context.
4. Precisely, the prosecution, inter-alia, claimed that on 6.6.2014, main accused Maha Singh had prepared and presented certain false documents to sell the plot in question to one Rekha, before the complainant-

Sub-Registrar, Panipat, for registration of the sale deed. Neither the name of petitioner is mentioned nor any specific role or particular part is attributed to him in the FIR. He was subsequently involved in this case on the disclosure statement of his co-accused Rekha.

5. Moreover, the petitioner was arrested on 31.8.2014. Since then, he is in judicial custody and no useful purpose would be served to further detain him in jail. There is no history of his previous conviction in any other criminal case. Otherwise also, all the offences alleged against the accused are triable by the Court of Magistrate. The final conclusion of trial will naturally take a long time.

6. Not only that, all the main allegations of preparing and submitting the false documents are assigned to main co-accused Maha Singh and Rekha. It is not a matter of dispute that Maha Singh, co-accused of the petitioner, has already been granted the benefit of regular bail, by way of order dated 21.8.2014 (Annexure P1) by Addl. Sessions Judge. Sequel, Dinesh, co-accused of the petitioner, was allowed the concession of anticipatory bail, by means of order dated 29.9.2014 (Annexure P2) in CRM No. M-30990 of 2014. Similarly, Rekha, co-accused of the petitioner and proposed beneficiary, has also been admitted to bail, by virtue of order dated 30.1.2015, rendered in CRM No.M-1709 of 2015 (Annexure P5) by this court. Therefore, I see no reason not to extend the same benefit of regular bail to the present petitioner as well under the similar set of circumstances.

7. In the light of aforesaid reasons, taking into consideration the totality of the peculiar facts & special circumstances, emanating from the record, as discussed here-in-above and without commenting further

anything on merits, lest it may prejudice the case of either side, during the course of trial of main case, the instant petition for regular bail is accepted. The petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

8. Needless to mention that nothing observed, here-in-above, would reflect, on merits of the main case, in any manner, during the course of trial, as the same has been so recorded for the limited purpose of deciding the present petition for regular bail only.

(Mehinder Singh Sullar)
Judge

18.2.2015
AS