

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-4677 of 2015 (O&M)
Date of Decision: 27.4.2015

Vinod Kumar

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. N.S. Shekhawat, Advocate for the petitioner.

Mr. M.S. Sidhu, Addl. A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the instant petition filed under Section 439 Cr.P.C praying for grant of regular bail to the petitioner in case F.I.R. No.95 dated 16.3.2011 under Sections 420, 467, 468, 471, 120-B I.P.C registered at Police Station, Palam Vihar, Gurgaon.

Learned counsel for the parties have been heard.

F.I.R was registered on the complaint of one Nalini Krishna Jayaparkash. Allegations against the present petitioner are with regard to having set up a forged agreement to sell in respect of residential house carrying the description of C1-327 at Palam Vihar, Gurgaon. It is alleged that as per agreement the petitioner had handed over a sum of Rs.60 lacs to the complainant, whereas no such transaction had ever taken place.

Concededly, the present petitioner had been declared a Proclaimed Offender on account of evading the process of law. Be that as it may, he was arrested thereafter on 2.10.2014 and has been in custody since then.

Investigation having been completed, challan was presented and charges have been framed.

Learned State counsel upon instructions from ASI Sanjiv Kumar would apprise the Court that out of 16 prosecution witnesses cited only one has been examined till date. Trial, as such, is at the very initial stage and would take some time to conclude. The offences cited are triable by a court of Magistrate.

Upon a specific query having been put, it has been stated by learned State counsel that the residential premises in question, for which the alleged agreement to sell had been set up, is very much in the possession of the complainant himself. Furthermore, co-accused Ishwar, who was stated to be a marginal witnesses to the forged agreement to sell, has been granted the benefit of regular bail by this Court in the light of order dated 12.1.2015 passed in CRM No. M-44103 of 2014.

Without making any observations on merits, prayer made in the petition is allowed.

Petitioner be enlarged on bail subject to satisfaction of the Trial Court.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

April 27, 2015
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