

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

CRM-M-4823 of 2015

Date of Decision: 02.03.2015

Sataywan Singh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. Ashok K. Sharma Bhana, Advocate
for the petitioner.

Ms. Mahima, Asst. A.G., Haryana.

Mr. Kuldeep Chaudhary, Advocate
for the complainant.

SNEH PRASHAR, J.

The present petition under Section 439 Cr.P.C is for grant of regular bail to the petitioner in case FIR No.241 dated 20.08.2014, under Sections 406, 420 of the Indian Penal Code (Sections 467,468,471, 120-B of the IPC deleted during investigation) registered at Police station City Kaithal, District, Kaithal.

The accusation against the petitioner-accused and one Suresh Kumar was that they had executed an agreement of sale in respect of land measuring 141 square yards for consideration of Rs.6,10,000/- in favour of complainant Rajesh Kumar s/o Prithvi Singh on 12.11.2012. The sale consideration was paid to them but they failed to transfer or handover the possession of the property in question to the complainant.

FIR under Sections 406, 420, 467, 468, 471 and 120-B of the Indian Penal Code was registered. During investigation, Sections 467, 468, 471 and 120-B of the Indian Penal Code were deleted.

Submissions of learned counsel for the parties have been considered.

As per the allegation the agreement of sale was executed by one Suresh and not by the petitioner-accused.

Charge-sheet has already been filed by the prosecution. The petitioner is in custody since 11.12.2014. He is no longer required by the investigating agency for any kind of recovery. The trial is likely to take some time whereas there appears no plausible ground to detain the petitioner in custody. Accordingly, without expressing any opinion on merits of the case, the present petition is allowed and the petitioner is released on regular bail during the pendency of the trial subject to his furnishing bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Kaithal.

March 02, 2015
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[SNEH PRASHAR]
JUDGE