

Sr. No.226

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No.M-11925 of 2016 (O&M)

Date of Decision: 25.05.2016

Rinku Kumar

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Atul Goyal, Advocate,
for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

Mr. Arnav Kumar Sood, Advocate,
for the complainant.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the present petition filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner in case FIR No.16 dated 16.02.2016, under Sections 419/ 420/ 465/ 467/ 468/ 471/ 120-B of Indian Penal Code, registered at Police Station Haibowal, District Ludhiana.

FIR came to be registered on the statement of Vinod Bassi.

Allegations are primarily targeted against Mohan Singh Pahalwan, who is stated to have taken a loan of Rs.6 lacs from the complainant and towards discharge of such financial obligation had offered to get a sale deed of a plot measuring 100 sq. yards executed in favour of the complainant. Further allegations are that on 16.02.2016 when Mohan Singh, main accused called the complainant in the office of Sub Registrar (West) Ludhiana, Paramjit Singh co-accused made an attempt to

impersonate the real owner i.e. Anil Puri and that too on the asking of Mohan Singh.

Insofar as the present petitioner is concerned, he is sought to be implicated on the basis that he was also present in the office of Sub Registrar on the asking of Mohan Singh to play the role of marginal attesting witness on the sale deed that was to be executed.

It has gone uncontroverted that the person who was to impersonate for the real owner i.e. Paramjit Singh upon being asked to furnish his identity proof ran away from the spot. Sale deed as such never came to be executed.

Petitioner was arrested on 16.02.2016.

Investigation in the case is complete and the challan stands presented on 15.04.2016.

Offences are triable by the Court of a Magistrate.

Paramjit Singh who had made an attempt to impersonate for the real owner has been granted bail by this Court in the light of order dated 16.05.2016 in CRM No.M-15897 of 2016.

Without making any observations on merits and keeping in view the length of incarceration already suffered by the petitioner, he is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

Disposed of.

25.05.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE