

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

CRM-M No.12403 of 2016 (O&M)
Date of decision: 22nd December, 2016

Mukhtiar Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Manish Prabhaker, Advocate for the petitioner.

Mr. J.S. Brar, Asstt. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Mukhtiar Singh in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.233 dated 07.07.2011 registered at Police Station Civil Lines, Amritsar under Sections 420, 467, 468, 471, 120-B IPC, are that he claiming to be attorney of the original owner of agricultural land namely Daljit Singh on 18.05.2010 had entered into an agreement to sell as attorney of the principal and in the process took Rs.25.00 lacs.

Contentions of the learned counsel for the petitioner are that neither there is any allegation much less any evidence that the petitioner has ever shown or obtained power of attorney authorizing him to sell the land in question and rather a civil suit is pending between the parties

over this and that the petitioner is in custody for the last more than one-and-a-half years.

The factual scenario could not be disputed by learned State counsel.

Keeping in view the period of incarceration and the evidence brought to the notice of this Court as also the fact that the trial will take a long time to conclude, it would be travesty of justice to keep the petitioner behind bars in the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Amritsar.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

December 22, 2016

rps

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No