

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.1359 of 2016

Date of Decision:-15.03.2016

Mahant Ganga Puri, Chela Kapil Muni.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Jasjit Singh, Senior Advocate assisted by
Mr. K.S. Sidhu, Advocate for the Petitioner.

Mr. Gaurav Dhir, Deputy Advocate General, Haryana.

Mr. S.S. Dinarpur, Advocate for the Complainant.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioner Mahant Ganga Puri in case FIR No.263 dated 10.04.2015 for offences punishable under Sections 406, 420, 463, 467, 468, 471, 506 and 120-B of Indian Penal Code registered with Police Station Thanesar, District Kurukshetra.

Allegations against the petitioner is that he has unauthorisedly sold of 33 acres of agricultural land belonging to the Akhara by falsely posing himself to the manager of the *Akhara*. Towards sale consideration, post dated cheques worth Rs.9,02,50,000/- payable in the name of the

petitioner were received. A sum of Rs.30 lacs in cash being part of the such sale consideration is also alleged to have been received by the petitioner which concededly has not been recovered from him.

Learned Counsel for the petitioner submits that the petitioner is a 75 years old man and in custody since 4.9.2015. After completion of investigation challan has been presented on 23.10.2015 and after framing of of the charge evidence of 20 cited prosecution witnesses is yet to commence. He further states that the case is triable by a Magistrate.

Learned State Counsel on instructions from ASI Naresh Kumar is unable to refute the aforesaid factual position except that the counsel for the complainant asserts that a sum of Rs.6,68,25,000/- were actually received in cash towards payment of sale consideration as per the recital in the said sale deed. It is further stated that petitioner is involved in one other criminal case bearing FIR No.709 dated 14.09.2015 under Sections 406, 420 IPC qua which initially cancellation report was prepared, however, now fresh investigations are pending.

Without commenting on the merits of the case, keeping in view the custody period, challan has been presented and that the trial is not likely to be concluded in near future, present petition is allowed and the petitioner Mahant Ganga Puri is ordered to be released on bail to the satisfaction of learned CJM/Duty Magistrate, Kurukshetra.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

March 15, 2016
Vinay