

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-15128 of 2016

Date of Decision: May 24, 2016

Ram Niwas

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr.Navneet Singh, Advocate
for the petitioner.

Mr. C.S. Bakshi, Addl.A.G., Haryana.

Mr. A.K Sharma, Advocate for the complainant.

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M.M.S. BEDI, J. (ORAL)

Petitioner seeks the concession of pre-arrest bail in a case registered at the instance of Phool Singh. The allegation against the petitioner is that on October 15, 2015, the petitioner got executed a sale deed of land measuring 8 Kanals 3 marlas which was in the name of Devat Ram in favour of his wife by producing an impersonator of Devat Ram and Devat Ram had actually died in 1954. The impersonator was identified by Numberdar Ranbir and witness Vikram.

The allegation against the petitioner is that he is the main accused who has masterminded the entire episode with an objective to get the land transferred in the name of his wife Mukesh Devi.

With the assistance of State counsel, counsel for the complainant and ASI Kuldeep Singh, I have gone through the police record. The registered sale deed dated October 15, 2015 contains the photograph of the impersonator of Devat Ram. It is petitioner who would know as to who had impersonated Devat Ram as Devat Ram is alleged to have died in the year 1954.

I have considered all the arguments of counsel for the petitioner and I am of the opinion that a person who has transferred the right, title and interest in 8 kanals 3 marlas of land in favour of his wife through impersonator is clearly in conspiracy with the seller who is yet to be identified and traced.

Prima facie the passing of consideration is also apparently doubtful. The custodial interrogation in the present case appears to be necessary.

Dismissed. Interim order is hereby vacated. Nothing said in this order will prejudice the rights of the petitioner to avail the regular bail in accordance with law which will be decided expeditiously by the trial Court.

May 24, 2016
sanjay

(M.M.S.BEDI)
JUDGE