

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

CRM No.M-15482 of 2016

Date of decision: 21.07.2016

Sagar Kumar and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Dr. D.S. Chahal, Advocate for the petitioners.

Mr. Mehardeep Singh, Addl. A.G., Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioners have sought regular bail in case FIR No.30, dated 14.03.2016, registered under Sections 420, 467, 468, 471 read with Section 120-B IPC, at Police Station Bhikhi, District Mansa.

It is contended that the petitioners have been residing in the premises in dispute. The petitioners are in possession of Aadhar card, voter card etc., wherein they have been shown as resident of premises in question. The petitioners have been regularly paying the rent. He further states that investigation has been completed and there is finding of I.O. that the petitioners have been residing as tenants. The co-accused, Ritu Rani and Nirmala Devi have already

been granted the concession of interim bail by this Court, vide order dated 04.04.2016. The petitioners are in custody since 15.03.2016.

On the other hand, the learned State counsel opposes the prayer of bail and submits that the petitioners in connivance with each other fabricated the documents with regard to title of the property held by Bihariz Lal. Challan stands presented; charges have been framed; out of total 15 witnesses none has been examined so far.

I have heard learned counsel for the parties and perused the record.

Considering the fact that co-accused, Ritu Rani and Nirmala Devi have already been enlarged on interim bail; the challan stands presented; out of total 15 prosecution witnesses none has been examined so far, therefore, it can safely be inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioners be admitted to bail during the pendency of the trial, on their furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

21.07.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE