

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

**CRM-M No.16614 of 2016 (O&M)
Date of Decision: 18.05.2016**

Harbhajan Singh @ Bhajan Lal

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Randeep Singh, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana
for the respondent/State assisted by S.I. Suraj Bhan.

Mr. Aman Pal, Advocate for the complainant.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Harbhajan Singh @ Bhajan Lal in case FIR No.826 dated 11.11.2015, under Sections 120-B, 420, 467, 468 and 471 of the Indian Penal Code, registered with Police Station Sadar Karnal, District Karnal.

The allegations of the complainant-Baldev Raj Chhabra are that the petitioner/accused-Harbhajan Singh @ Bhajan Lal executed a sale deed dated 17.10.2013 through his GPA holder son qua the land in question for a total sale consideration of Rs.62,50,000/- in favour of the complainant. The possession was also handed over. Yet to defeat the rights of the complainant, he has proceeded to execute two different agreements to sell regarding the same land in favour of the other proposed vendees/co-accused Amarjeet Singh and Balwant Sharma.

It is contended that from the bare reading of the FIR, no offence of cheating or forgery is made out. It is next submitted that the petitioner is a old man and in custody since 18.03.2016 and after completion of the investigations, challan stands presented and evidence of 12 cited prosecution witnesses is yet to commence.

Learned State Counsel, assisted by SI Suraj Bhan, does not dispute the custody period, stage of the trial and the role attributed to the petitioner.

Learned Counsel for the complainant vehemently opposes the grant of bail.

Without commenting on the merits of the case, keeping in view the role attributed to the petitioner, custody period, old age and the fact that trial is not likely to be concluded in near future, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

May 18, 2016
Gagan

(JASWANT SINGH)
JUDGE