

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

**CRM-M No.17015 of 2016 (O&M)
Date of Decision: 25.05.2016**

Anu Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Vishal Malik, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana
for the respondent/State assisted by H.C. Joginder Singh.

JASWANT SINGH, J. (Oral)

Prayer is for grant of regular bail under Section 439 Cr.P.C. to the petitioner-Anu Kumar in case FIR No.105 dated 21.02.2015 for the offences punishable under Sections 419, 420, 467, 468, 471, 506 of the Indian Penal Code, registered with Police Station Samalkha, District Panipat.

The plot of the complainant-Sunil was fraudulently sold in favour of the petitioner/accused Anu Kumar by hatching a conspiracy wherein the co-accused-Vikas impersonated the real owner-Sunil (complainant) and was identified by the co-accused/non-applicant-Shailender and one Raj Kumar, Nambardar at the time of sale deed before the Sub-Registrar.

It is submitted that as per the allegations of the complainant, the main players in the fraud are two property dealers, namely, co-accused Anu Kumar (petitioner/accused) and Shailender, who are the real beneficiaries of the fraud.

It is contended that the co-accused Raj Kumar, Nambardar was placed in Column No.2 while similarly placed co-accused Shailender has

been enlarged on regular bail by this Court, vide order dated 04.04.2016
(Annexure P-3).

The petitioner/accused is stated to be in custody since 23.11.2015 and evidence of 18 cited prosecution witnesses is yet to commence.

Learned State Counsel, assisted by HC Joginder Singh, does not dispute the custody period and bail granted to similarly placed co-accused Shailender.

Without commenting on the merits of the case, keeping in view the parity of treatment, custody period 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 25, 2016
Gagan

(JASWANT SINGH)
JUDGE