

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

CRM-M-19862 of 2016.

Decided on:-03.08.2016.

Rajesh Saini.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Jainainder Saini, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J.

The petitioner has filed this petition under Section 438 Cr.PC seeking anticipatory bail in case FIR No.143 dated 22.2.2015 under Sections 419/420/467/468 IPC registered at Police Station Civil Lines, District Hisar.

Allegation against the petitioner is that the plot of the complainant was transferred by impersonation and the petitioner is an attesting witness to the sale deed in his capacity as Lumbardar.

Learned counsel for the petitioner has stated that the petitioner is not beneficiary and is only an attesting witness to the said document in his capacity as Lumbardar. The petitioner is merely identifier and nothing is to be recovered from him.

On the other hand, learned State counsel has contended that the

petitioner is in the habit of identifying wrong persons. He has stated that there are number of other cases registered against the petitioner for identifying wrong persons in his capacity as Lumbardar.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is identifying the persons whom he does not know by taking benefit of his status as Lumbardar and in the present case also, he has identified a fictitious person as Naresh which has resulted into transferring the plot of original Naresh, this Court does not find any merit in the present petition. Accordingly, the present petition is hereby dismissed.

It is made clear that the observations made hereinabove shall have no bearing on the merits of the case and are restricted for the purpose of decision of present petition only.

August 03, 2016
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes / No

Whether Reportable: Yes / No