

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

CRM-M No.2975 of 2016 (O&M)

Date of Decision: 04.02.2016

Yashvinder Kumar @ Tinku

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Saurabh Bhardwaj, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana
for the respondent/State assisted by ASI Sultan Singh.

Mr. R.S.Mamli, 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 in case FIR No.465 dated 14.07.2015, under Sections 406, 420, 120-B, IPC and (Sections 467 and 468, IPC are stated to be deleted later on), registered with Police Station Karnal Sadar, District Karnal (**Annexure P-1**).

The petitioner is one of the attesting witnesses to an agreement to sell dated 21.02.2015 regarding sale of about 258 Bighas of agriculture land by the co-accused Bani Singh. The total sale consideration was Rs.7 Crores and 2 Lacs approximately. The seller-Bani Singh along with his four other co-accused sons have received earnest money of Rs.35 Lacs. The target date for execution of sale was 17.06.2015.

It is contended that there is no dispute that agriculture land does exist and that too in district Haridwar and the co-accused Bani Singh and his

sons are the real owners. The receipt of earnest money by the accused owners is also not denied. The stand of the owner is that the complainant-Narender was not coming forward to get the sale deed executed. Hence, no offence is made out against the petitioner. That apart, petitioner is stated to be in custody since 19.12.2015 and the investigations qua him are over.

Learned State Counsel, assisted by ASI Sultan Singh, does not dispute the fact that investigations qua the petitioner are over.

Without commenting on the merits of the case, keeping in view the custody period and the facts as noticed above, 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.

February 04, 2016

Gagan

**(JASWANT SINGH)
JUDGE**