

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

CRM-M-35944 of 2016 (O&M)

Date of decision: 20.12.2016

Jagmail Singh @ Summi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Atul Goyal, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.22 dated 11.02.2016, registered under Sections 420, 467, 468, 471 of IPC and Sections 80 & 82 of Registration Act, at Police Station Shimlapuri, District Ludhiana.

It is contended that one Lakhbir Singh was the original owner of the house in dispute. The beneficiary, Manjit Kaur (co-accused) was inducted as a tenant by the said Lakhbir Singh about 17 year ago. Subsequently, on 10.08.2010, the said Manjit Kaur purchased the house in question. He further states that in fact the main culprit is Lakhbir Singh who has twice sold the house firstly to one Manju Jain and subsequently to the accused, Manjit Kaur. He further submits that Harbans Singh who had purchased the house from first purchaser Manju Jain is the

complainant in the present FIR. The complainant Harbans Singh has already filed a suit challenging the sale deed in favour of co-accused, Manjit Kaur. Co-accused, Manjit Kaur is still in possession of the house in dispute. As per FIR, the petitioner impersonated Lakhbir Singh. He is in custody since 08.03.2016. The co-accused, Manjit Kaur has been allowed bail by this Court, vide order dated 23.08.2016.

On the other hand, learned State counsel opposes the bail application.

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

Considering the fact the main accused, Manjit Kaur has already been enlarged on bail; the petitioner is in custody since 08.03.2016; the investigation stands concluded; challan has been presented, however, the charges are yet to be framed, therefore, it can be safely 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 petitioner be admitted to bail during the pendency of trial, on his 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.

20.12.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No