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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Decided on: February 2, 2016.

(1) CRM-M-5609-2015 (O&M).

Mange Ram and others

.. Petitioner(s)

VERSUS

State of Haryana

.. Respondent(s)

* * *

(2) CRM-M-12061-2015 (O&M).

Tejbir @ Tejpal and another

.. Petitioner(s)

VERSUS

State of Haryana

.. Respondent(s)

* * *

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

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**PRESENT Mr.Manoj Kumar Sood, Advocate,
for the petitioners in both the petitions.**

Mr.C.S.Bakshi, Addl. A.G., Haryana.

**Mr.Parmod Parmar, Advocate,
for the complainant.**

M.M.S. BEDI, J. (ORAL)

This order will dispose of the above noted two petitions i.e. CRM-M-5609-2015 filed by Mange Ram and others and CRM-M-12061-2015 filed by Tejbir @ Tejpal and Girraj.

During pendency of the petition, petitioners Bijender, Rati Ram and Tejbir were arrested, as such, their petitions become infructuous as they have been granted the concession of regular bail.

FIR in the present case was registered at the instance of Vinod Kumar alleging that the petitioners in connivance with each other and other accused had played fraud with the complainant by executing relinquishment deeds by virtue of which the mortgage rights were given up in a land which actually belongs to one Angoori Devi.

Counsel for the petitioners has submitted that two civil suits were filed by Laxmi daughter of Angoori Devi challenging the relinquishment deeds and seeking a declaration that she along with Raj Kumar and Raja, proforma defendants, was the owner of the property. Both the civil suits have been disposed of as all rights, title and claim on the basis of relinquishment deeds were given up by the beneficiaries. Copy of plaint, final orders passed in those suits have been placed on record as Annexures P3 to P8.

Counsel for the complainant Vinod Kumar and Raj Kumar has appeared to state that they are not aware of any proceedings whereby rights have again been given to them by cancellation of the relinquishment deeds which are subject matter of the FIR.

I have heard the counsel for the petitioners as well as the counsel for the complainant and gone through the relinquishment deeds which have now been withdrawn bestowing rights on the original owners.

Counsel for the complainant may get the details of the civil suits by virtue of which they being proforma defendants have been granted the rights on the basis of decree of declaration passed

on the basis of compromise.

Petitioners Mange Ram and Girraj have already joined investigation. It does not appear to be a case of custodial interrogation.

The petitions are allowed. It is ordered that in case of arrest of petitioners Mange Ram and Girraj, they will be released on bail to the satisfaction of the arresting officer subject to the conditions that they will join investigation as and when required and will not tamper with the evidence or hamper investigation, in any manner.

(M.M.S. BEDI)
JUDGE

February 2, 2016.
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