

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

**CRM-M No.5893 of 2016 (O&M)
Date of Decision: 05.05.2016**

Hasnu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Sarfraj Hussain, Advocate for the petitioner.

Mr. Yashwinder Singh, Deputy Advocate General, Haryana
for the respondent/State assisted by ASI Ravinder Kumar.

JASWANT SINGH, J. (Oral)

CRM No.9661 of 2016

Prayer is for placing on record the copy of order dated 16.03.2016, passed by learned Sessions Judge, Mewat granting bail to co-accused Ishak, as **Annexure P-2**.

Application is allowed. **Annexure P-2** is taken on record.

CRM-M No.5893 of 2016

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Hasnu in case FIR No.16 dated 23.01.2015, under Sections 419, 420, 467, 468, 471, 120-B of the Indian Penal Code, registered with Police Station Nagina, District Mewat.

The land in question measuring 18 Kanlas and 10 Marlas, situated in Village Mahun, was jointly owned and possessed by Ismail, Jagmal and Yasin @ Babuli. The complainant-Aarif is the son of Jagmal and it is alleged that by impersonation of three real owners, the land was fraudulently sold vide Sale Deed dated 19.05.2014 to co-accused/non-applicants Sunita and

Rattan Lal, whereas co-accused Aasin, Lambardar identified the impersonators, co-accused Habib was attesting witness to the agreement to sell. The Naib Tehsildar and Halqa Patwari concerned have also been nominated as accused.

The petitioner/accused-Hasnu is the impersonator for Yasin @ Babuli, co-accused Ishak was the impersonator for Ismail whereas co-accused Sahun was the impersonator for Jagmal.

The petitioner is stated to be in custody since 29.10.2015 and after completion of the investigation, the case is at the commencement of evidence of 11 cited prosecution witnesses.

It is submitted that identically situated co-accused Ishak, who impersonated the real owner Ismail, has since been enlarged on regular bail by the trial Court, vide order dated 16.03.2016 (**P-2**).

Learned State Counsel, assisted by ASI Ravinder Kumar, does not refute the attributed role, custody period, the stage of the trial and that the co-accused has since been released on regular bail.

Without commenting on the merits of the case, keeping in view the role attributed to the petitioner, custody period, parity of treatment 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 05, 2016

Gagan

**(JASWANT SINGH)
JUDGE**