

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc. No.M-6086 of 2016(O&M)

Date of Decision: April 26, 2016

Jagbir son of Shri Roop Chand

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.Akshay Jindal, Advocate for the petitioner.

Mr.Anmol Malik, Assistant Advocate General, Haryana.

Mr.JS Bedi, Senior Advocate with
Ms.Diya Sodhi, Advocate for the complainant.

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TEJINDER SINGH DHINDSA, J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.599 dated 25.9.2015, under Sections 406/420/467/468/120-B of the Indian Penal Code, registered at Police Station Samalkha, District Panipat.

2. Learned counsel for the parties have been heard.

3. Briefly, it may be noticed that the FIR came to be registered on the complaint of Radhey Shyam. Allegations are that the complainant had entered into an agreement to sell with co-accused Bhim Singh who, in turn, was acting on the strength of a General Power of Attorney of Smt.Reena Verma i.e. his wife in

respect of a plot measuring 1000 Sq.Yards. Accusation is that an agreement to sell having been entered into and the complete sale-consideration of ₹18,71,000/- having been made over, possession of the plot has not been delivered and neither has the sale-deed been executed. Complainant alleges that he has been duped and a huge amount of ₹18.71 lacs has been misappropriated.

4. Insofar as the present petitioner is concerned, he is stated to be a broker and through whom the deal was facilitated. It has been contended on behalf of the petitioner that he was not a beneficiary of the transaction and had merely signed the agreement to sell in the capacity of a marginal witness. It has also been contended that the owner of the plot is Reena Verma, co-accused and not the present petitioner.

5. Petitioner was arrested on 13.1.2016.

6. Learned State counsel has informed the Court that investigation in the case having been completed, challan qua the present petitioner stands presented on 9.4.2016.

7. The offences are triable by a Court of Magistrate.

8. It is not the case made out by learned State counsel or learned counsel appearing for the complainant that the petitioner if granted benefit of bail would be in a position to influence/intimidate the witnesses and to hamper the course of a free and fair trial.

9. In the considered view of the Court, no useful purpose would be served by keeping the petitioner in custody.

10. In view of the above and coupled with the length of

incarceration already suffered by the petitioner, he is held entitled to the benefit of bail. Petition allowed

11. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Panipat.

April 26, 2016
SRM

(TEJINDER SINGH DHINDSA)
JUDGE