

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

CRM No.M-694 of 2016 (O&M)

Date of Decision: 17.02.2016

Prabhu Prem Dutt

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Munish Kumar, Advocate for the petitioner.

Mr. K.D. Sachdeva, Additional Advocate General, Punjab.

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TEJINDER SINGH DHINDSA.J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.3 dated 13.03.2013, under Sections 448/380/419/420/467/468/471/120-B IPC, registered at Police Station NRI, District SBS Nagar.

FIR came to be registered on an application moved by Harvinder Singh and Devinder Kaur who are stated to be NRIs. It is during the course of investigation that the petitioner has been nominated as an accused. Accusations are with regard to a forged and fabricated agreement to sell dated 06.11.2012 pertaining to an agricultural land measuring 7½ marlas owned by Harvinder Singh and in which the present petitioner has impersonated Harvinder Singh and reflected himself as the seller.

Petitioner was arrested on 20.10.2015.

During the course of arguments, it has gone uncontroverted that based on agreement to sell dated 06.11.2012, the sale deed never fructified on account of the fact that on the date of presentation of the same, the Sub Registrar got suspicious that the transaction was not even carried out by the true and real owner. That apart, the beneficiary of such transaction was to be

Surinder Pal Kaur who is none other than the real sister of Harvinder Singh.

Investigation in the present case is complete and the challan already stands presented. Learned State counsel apprises the Court that the matter is now fixed for framing of charges. The trial, as such, would take time to conclude.

Without making any observations on merits and keeping in view the fact and circumstances noticed hereinabove as also coupled with the length of incarceration already suffered by the petitioner, he is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Shaheed Bhagat Singh Nagar.

Disposed of.

17.02.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**