

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

CRM No.M-9292 of 2016 (O&M)

Date of Decision: 05.04.2016

Naresh Kumar

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. P.S. Hundal, Senior Advocate with
Mr. Jashandeep Singh, Advocate for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

....

TEJINDER SINGH DHINDSA, J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.35 dated 24.01.2015, under Sections 406/420/467/468/471/472/506/34/120-B IPC, Police Station Gharaunda, District Karnal.

Counsel for the parties have been heard.

FIR was registered on the complaint of Sushil Kumar. Complainant had alleged that he had entered into an agreement with accused No.1, namely, Jagan Nath @ Ram Sahara on 25.01.2011 pertaining to land measuring 118 kanals and 10 marlas situated in Village Pundri, Tehsil Gharaunda, District Karnal against a consideration amount of Rs.1,18,50,000/-. Allegations are that subsequently complainant found that accused No.1-Jagan Nath had entered into a post dated agreement dated 31.07.2002 with one Swatantar Kumar Sehgal in respect of part of the same parcel of land i.e. admeasuring 54 kanals and 12 marlas and Swatantar Kumar Sehgal had executed a will dated 26.03.2003 in which the present petitioner, namely, Naresh Kumar was a beneficiary. Further allegations are

that the present petitioner is a close relative of accused No.1-Jagan Nath and all the accused have acted in connivance with each other to play a fraud upon the complainant.

The present petitioner was arrested on 04.10.2015.

Investigation in the case is complete and the challan was presented on 29.12.2015.

Offences are triable by a Court of Magistrate.

Concededly, main accused i.e. accused No.1-Jagan Nath and who was arrested on 09.10.2015 has been granted benefit of regular bail in the light of order dated 10.03.2016 passed by the learned Additional Sessions Judge, Karnal.

Without making any observations on merits and keeping in view the facts and circumstances noticed hereinabove, the present petitioner is held entitled to the benefit of bail.

Accordingly, petition is allowed. Petitioner be enlarged on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Karnal.

Disposed of.

05.04.2016

shubham

**(TEJINDER SINGH DHINDSA)
JUDGE**