

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

CRL. MISC. No.M-17828 OF 2017
DATE OF DECISION : 14th JULY, 2017

Parkash Singh

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Surinder Mohan Sharma, Advocate for the petitioner.
Ms. Tanushree Gupta, DAG, Haryana.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.615 dated 02.12.2015 registered under Section 420, 467, 468, 471 & 120-B IPC and Section 13(1) (d) of Prevention of Corruption Act at Police Station Gannaur, District Sonipat.

Heard learned counsel for the rival parties.

The prosecution allegation is that the petitioner had impersonated and as such got the sale deed registered which was ultimately found to be fake. The challan in this FIR has been filed before the Court below. The co-accused has been released on bail. In my opinion, there is no point in detaining the petitioner in jail pending trial, when this appears to be the first offence.

In that view of the matter, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-17828 OF 2017 is allowed

- (ii) The petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.

It appears that the Naib Tehsildar in this case has been the registering authority for registration of sale deeds or conveyances under the Registration Act.

State to file affidavit of District Collector, Sonipat showing as to whether the Naib Tehsildar is authorized to register the sale deeds and other registerable documents or the job is to be done by the Sub-Registrar.

Put up the matter on 27.07.2017 for awaiting the affidavit.

14TH JULY, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: Yes No

Whether Reportable: Yes No