

**CRM-M-23220-2017 (O & M)**

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

**CRM-M-23220-2017 (O & M)**

**Date of Decision: 10.07.2017**

Jiya Lal

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr. Sanjiv Gupta, Advocate,  
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

Mr. Sunil Kumar Verma, Advocate,  
for the complainant.

**INDERJIT SINGH, J.**

**CRM-20116-2017**

Allowed as prayed for, subject to all just exceptions.

**CRM-M-23220-2017**

Petitioner-Jiya Lal has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.21 dated 19.02.2017, registered at Police Station Nathusari Chopta, District Sirsa, under Section 420 of the Indian Penal Code.

Notice of motion has been issued. Learned State counsel has appeared on behalf of respondent-State and complainant also appeared through her counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record.

**CRM-M-23220-2017 (O & M)**

From the record, I find that FIR, in the present case, has been got registered by Rekha, sister-in-law of the present petitioner. As per the allegations, the petitioner has got the sale deed executed from his brother by committing fraud. It is also mentioned in the FIR that Mahender is not a mentally fit person.

At the time of arguments, it is admitted that a civil suit is pending which is filed by Mahender against the present petitioner for setting aside that sale deed. It is also admitted that civil suit has not been filed by Mahender through guardian.

The petitioner has been in custody since 04.06.2017. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. The offence is triable by Judicial Magistrate Ist Class. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

**10.07.2017**

parveen kumar

**(INDERJIT SINGH)**  
**JUDGE**

|                           |   |     |
|---------------------------|---|-----|
| Whether speaking/reasoned | : | Yes |
| Whether reportable        | : | No  |