

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-25793 of 2017

Date of Decision: 14.11.2017

Om Parkash

...Petitioner

VERSUS

State of Haryana and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. S.P. Arora, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

Mr. S.P.S. Sidhu, Advocate
for respondent no. 2.

SURINDER GUPTA, J.(Oral)

Heard.

Cancellation of bail of respondent no. 2-Narender Singh Sandhu allowed by learned Additional Sessions Judge, Fatehabad vide order dated 17.06.2017, has been sought by the petitioner on two counts; firstly, that despite being scribe of agreement he was not aware as to from whom he had got the same typed; and secondly, what was the name of relative of petitioner-Om Parkash, who brought the stamp-paper, on which the alleged agreement was typed.

The dispute between parties pertains to agreement to sell dated 29.08.2012 on the basis of which a civil suit decree has been passed which has now been challenged by petitioner-Om Parkash and his suit is pending. The matter is still under investigation and respondent no. 2 has already joined the investigation. The fact that he could not recollect as to from whom agreement to sell dated 29.08.2012 was got typed and who had

brought the stamp-papers on which same was typed, are no reasons to cancel bail allowed to respondent no. 2. I find no merit in the submission of learned counsel for petitioner in this regard.

It has further been submitted that learned trial Court has allowed the bail to respondent no. 2 without imposing conditions as enshrined under Section 438 (2) Cr.P.C.

Learned counsel for respondent no. 2 submits that respondent no. 2 will abide by conditions as enshrined under Section 438 (2) Cr.P.C. and he has no objection, if the same may be now imposed on him.

In view of above, this petition is disposed of by upholding order dated 17.06.2017 passed by learned Additional Sessions Judge, Fatehabad with modification that respondent no. 2 shall also abide by terms and conditions as mentioned in Section 438 (2) Cr.P.C.

November 14, 2017

jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No