

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

CRM -M-2733 of 2017 (O&M)

Date of decision: 03.04.2017

Dalbir Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Vikram Chaudhri, Sr. Advocate with
Ms. Isha Goyal, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. L.S. Mann, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 0124 dated 01.07.2016, registered under Sections 419, 420, 465, 467, 468, 471 and 120-B of IPC, at Police Station Nakodar, District Jalandhar Rural.

It is contended that the sale deed in question pertains to the year 2002. The total sale proceeds against two sale deeds allegedly made by the petitioner is stated to be of Rs. 5 lakh. The petitioner as well as the complainant are NRIs. The complainant is the mother in-law of petitioner's younger brother. It is clear that the petitioner has already paid the sale proceeds to the complainant, however, being from

the family who were known to him, no receipt qua the payment made was obtained in good faith. However, still to show his bona fide, the petitioner is ready and willing to transfer one acre of land held by him in Nakodar, the prevalent rate of which is approx. Rs. 20 lakh to 25 lakh as a compensation to the complainant. Earlier, the petitioner approached this Court by way of filing a petition which was ordered to be dismissed as withdrawn. Thereafter, the petitioner immediately surrendered to the process of the Court and he is in custody since 29.09.2016. The learned counsel further states that it is a magisterial trial. The challan stands presented; charges have been framed.

On the other hand, learned State counsel as well as the learned counsel for the complainant oppose the bail application.

I have heard learned counsel for the parties and perused the record.

This Court in CRM-M-1526-2017 filed on behalf of the complainant, Jasbir Kaur, directed SDJM, Nakodar to conclude the trial expeditiously preferably within a period of three weeks from the receipt of certified copy of the order. By a subsequent order, the said period was extended to four months. The petitioner is in custody since 29.09.2016; the challan stands presented. The transaction pertains to the year 2002 whereas the FIR came to be registered in the year 2013. The dispute is inter se the family members. Considering the above, without adverting to the merits of the instant case, this petition is

allowed. The petitioner be admitted to bail during the pendency of trial, on her furnishing bail bonds and surety bonds to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

03.04.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No