

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-35870 of 2017 (O&M)

Date of Decision: 03.10.2017

Hanuman

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. P.S. Jammu, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.180 dated 11.07.2000 under Sections 420, 467, 468, 471, 120-B IPC registered at Police Station Adampur, District Hisar during the pendency of the trial.

Learned counsel for the petitioner submits that the allegation against the petitioner is that he has made some fictitious lady stand in place of his real sisters namely Ompati and Meshar and got the power of attorneys executed in his favour. Thereafter, on the basis of the power of attorneys so executed, he has sold the land to Om Prakash, Jagdish and Kamla. He further submits that trial *qua* the other co-accused has already

been completed and though they have been convicted but released on probation. The complainants are real sisters of the petitioner and he is in custody since 23.6.2017.

On the other hand, learned State counsel says that firstly, the petitioner has created fictitious power of attorneys of his real sisters namely Ompati and Meshar and thereafter, on the basis of said power of attorneys, sold the land to other co-accused namely Om Prakash, Jagdish and Kamla. However, he does not dispute that the petitioner is real brother of the complainants and is in custody since 23.6.2017.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 23.6.2017 and trial in the case may take long time, I deem it appropriate to release him on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court. The petitioner shall also give an undertaking that he will attend the Court proceedings regularly, unless he is granted exemption by the Court.

Needless to say that the observations made hereinabove shall not be construed as any expression on the merits of the case.

October 03, 2017
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No