

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

**CRM-M No. 6836 of 2017
Date of Decision: 6.9.2017**

Anil Rathore

.....Petitioner

v.

State of Haryana

.....Respondent

CORAM HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present:- Mr. Aditya Yadav, Advocate, for the petitioner
 Ms. Neelam Kashyap, DAG, Haryana

SHEKHER DHAWAN, J.

Present petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No. 610 dated 6.12.2015, under Sections 420, 467, 468, 471, 448, 509 and 120B IPC, registered at Police Station Palam Vihar, District Gurgaon.

Vakalatnama filed on behalf of petitioner is taken on record.

Learned counsel for the petitioner contended that the petitioner is in custody since 18.10.2016. The plot in question was purchased by Shishir Kumar which was Willed in the name of Khushbu Vimal executed by real owner and trial of the case still to take some time, so he be released on bail.

Learned State counsel as well as learned counsel for the complainant contended that the petitioner had already made complaint against Shishir Kumar Ex.P-8 and the plot was never purchased from the owner and in fact, the complainant is the owner after death of Braj Bhushan

and no case is made out for release of the petitioner at this stage.

Having considered these facts and the fact that the petitioner is in custody since 4.7.2017; payment has already been made to the complainant; the matter revolves around the transfer of property after death of Braj Bhushan, who was inherited by his wife and 5 daughters and it shall be a matter of evidence that whether Khushbu was competent to transfer the property on the basis of Will or not; decision of the case still to take some more time and no useful purpose would be served by detaining the petitioner in custody, therefore, the present petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Gurugram.

The present petition stands disposed of.

(SHEKHER DHAWAN)
JUDGE

6.9.2017
Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No