

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

CRM -M-7317 of 2017 (O&M)

Date of decision: 10.03.2017

Mahinder Kumar and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. A.K. Sehrawat, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Anoop Verma, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioners have sought regular bail in FIR No. 18 dated 09.02.2016, registered under Sections 406, 420, 467, 468, 471 and 120-B of IPC, at Police Station Saha District Ambala.

It is contended that the earlier bail application was dismissed, vide order dated 12.08.2016 on the ground that the investigation at that point of time was still in progress. Now the investigation stands concluded and the challan has been presented. This factual aspect of the matter is not controverted by the learned State counsel. The learned counsel for the petitioners further states that the petitioners do not have the knowledge of the fact that their father was not the owner in possession of the land in question. In the interregnum

period, the petitioners have moved an appeal before the competent authority i.e. Deputy Commission cum Commissioner (Sales), Ambala to confirm the sale which is pending consideration. A copy of the appeal is taken on record as Mark 'A.' The petitioners are in custody since 11.04.2016.

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.

Considering the fact that the investigation stands concluded; challan stands presented; the conclusion of trial will take a long time, without adverting to the merits of the instant case, this petition is allowed. The petitioners be admitted to bail during the pendency of trial, on their 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.

10.03.2017
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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