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

**CRM-M No.11506 of 2018 (O&M)
Date of Decision: 23.03.2018**

LAKHVINDER SINGH @ KALA

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Alok Mittal, Advocate
for the petitioner.

Mr. Sanjay Kumar Saini, A.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.266 dated 08.06.2017, registered under Sections 406, 420, 120-B IPC at Police Station Ambala City.

In the FIR, allegations have been levelled against Gurpal Singh and Gurtej Singh, who allegedly cheated the complainant Kuldeep Singh to the tune of Rs.52 lakhs. They have already entered into an agreement to sell with Gurvinder Singh son of Bhajan Singh for the same land for which now, they have agreed to sell the same to the complainant. Gurvinder

Singh had already obtained stay from the civil Court against the aforesaid Gurpal Singh and Gurtej Singh. In the disclosure statement of Gurtej Singh, it has been disclosed that he had paid Rs.10 lakhs to the petitioner and Rs.5 lakhs to Amarjit Singh.

Learned counsel for the petitioner submitted that the petitioner is an attesting witness to agreement to sell and has identified the correct person. He is not privy to the agreement to sell as neither he is proposed vendor, nor proposed vendee for the purposes of agreement to sell.

Learned counsel further submitted that the petitioner is in judicial custody since 18.09.2017. The challan has already been presented. The offence is triable by the Magistrate.

The aforesaid statement of facts have not been disputed by the learned State counsel on instructions from ASI Balwan Singh.

At this stage, without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail, who is in custody since 18.09.2017.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial

Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

March 23, 2018

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No