

Banwari Lal

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Maharaj Kumar, Advocate
for the petitioner
Mr. D.R. Singla, DAG Haryana

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Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 390 dated 21.07.2016 under Sections 406, 420, 467, 468, 471, 120-B, 506, 167 IPC, registered at Police Station Gharaunda, District Karnal.

2. The allegation against the petitioner is that he altered the khasra girdawari in connivance with the co-accused and wrongly showed them as co-owners of the land in dispute, which resulted in complainant purchasing the land.

3. Learned counsel for the petitioner contends that the petitioner has been in custody since 11.01.2018 and that the challan against him has already been presented. Thus, no useful purpose would be served by keeping the petitioner in custody indefinitely.

4. Learned State counsel opposes the prayer for bail.

5. Keeping in view the facts and circumstances of this case, the petition is allowed and the petitioner is directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the trial Court.

6. The record further reveals that there are twenty accused in this case and only the petitioner has been arrested till date. Investigating Officer DSP Subhash

explain why remaining accused have not been arrested. He is present in the Court and submits that before arresting an accused, as per instructions issued by the State Crime Branch, approval is required to be taken. He further states that approval has been taken and that the co-accused will be arrested shortly.

7. Learned State counsel is directed to file a specific affidavit annexing the concerned instructions mentioned hereinabove.

8. Adjourned to 07.08.2018.

9. Investigating Officer, DSP Subhash Chander (State Crime Branch) shall remain present in the Court on the next date of hearing also to inform the Court regarding further arrests having been made.

July 06, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No