

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

**CRM-M No.22777 of 2018(O&M)
Date of decision : 09.08.2018**

Kamaljeet Singh

.....Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. R. S. Mamli, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

Mr. Ravinder Banger, Advocate for the complainant.

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DAYA CHAUDHARY, J. (Oral)

Petitioner Kamaljeet Singh has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.19 dated 01.03.2018 under Sections 420, 406, 506, 120-B of the Indian Penal Code, 1860 registered at Police Station – Sadar Jagadhri, Distt. Yamunanagar.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case, whereas he has not played any active role. He stood as a witness to the agreement to sell dated 18.12.2017 and there is no other allegation against him. Learned counsel further submits that the land of the petitioner was adjoining to the land of co-accused Jaipal and as such he was known to him being neighbourer and was made witness to the agreement to sell. There is no allegation of forgery and fraud against him. Co-accused of the petitioner namely Jaipal and Vikram alias Vicky have been granted ad interim bail by this Court. Petitioner is in custody since 23.04.2018

and there is no progress in the proceedings. Learned counsel also submits that co-accused of the petitioner namely Amanpreet Singh has also been released on regular bail by this Court. Recovery has already been effected and custody of the petitioner is not required. Learned counsel further submits that the Panchayat was convened, wherein co-accused Jaipal and Raghubir admitted that they had shared ₹36,00,000/- from Bodhraj complainant and after talking to Vicky and Jasbir, they had undertaken to return the amount. Petitioner has been implicated as he was present at the time of agreement to sell between the parties. Learned counsel also submits that it is a case of civil dispute and criminal shape has been given.

Learned State counsel has not disputed the custody period as well as release of co-accused on anticipatory bail as well as on regular bail and also the fact that recovery has been effected.

Accordingly, by considering the role of the petitioner, custody period undergone by him and also the fact that co-accused have been released on anticipatory/regular bail, no purpose would be served by keeping him in custody as trial may take sufficient long time to conclude, the present petition is allowed and petitioner Kamaljeet Singh is directed to be released on regular bail to the satisfaction of the trial Court.

09.08.2018

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No