

S.No.216

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

CRM-M-36851 of 2018 (O&M)

Date of Decision:30.08.2018

Jaswinder Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Karan Garg, Advocate
for the petitioner.

Mr. K.S. Aulakh, DAG,
Punjab.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.6 dated 12.11.2017 registered under Section 420 IPC at Police Station Canal Colony, District Bathinda.

Counsel for the petitioner contends that the only allegation against the petitioner is that the petitioner had got some land from his father. That land was sold by the petitioner to the complainant and some other persons. However, after having sold the land to the complainant and the other persons, the petitioner and his father once again colluded. The father of the petitioner filed a suit against the petitioner claiming title to the land in question. The petitioner suffered a statement in favour of his father. Resultantly, a decree was passed in favour of father of the petitioner. However, it is contended by the counsel that, the decree has not been executed in any way. The land in question is still under the ownership and

possession of the complainant and other persons. Their title or possession is not under threat. The petitioner is in custody since 01.07.2018. Challan in the case has already been filed. There is no other case against the petitioner.

Learned State Counsel, being instructed by ASI Supinder Singh, does not dispute that the petitioner is in custody since 01.07.2018 or the fact that the challan has already been filed against the petitioner.

In view of the above submissions made by counsel for the petitioner, but without making any further comments on merits of the case, the present petition is allowed. Petitioner is ordered to be released on bail pending trial on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Illaqa Magistrate.

August 30, 2018
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No