

214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Hemlata
2018.02.09 15:17
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CRM-M-4312-2018(O&M)

Date of decision:08.02.2018

Manjeet @ Manjit Kaur

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vipul Aggarwal, Advocate, for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

Mr. Saurabh Arora, Advocate for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in case FIR No.368, dated 15.06.2017, under Sections 406, 420, 467, 468, 120-B, 506 of IPC, registered at Police Station Assandh, District Karnal.

Learned counsel for the petitioner submits that the petitioner is a lady, aged about 64 years; is in judicial lock up since 08.12.2017 and challan has already been presented on 07.02.2018. It is further submitted that the dispute is signature/thumb impression on the agreement to sell, forming basis of the FIR, has been sent to the Forensic Science Laboratory and report is awaited. It is further submitted that the offences are triable by the Court of Magistrate and it will take long time for conclusion of the trial. It is also submitted that as per allegation in the FIR, alleged agreement to sell is dated 02.07.2014 whereas, the FIR has been registered on 15.06.2017 and there is no explanation for delay.

Learned State counsel, on instructions from ASI Manjur Ali, has, however, not disputed the factual position that the report of the FSL is still awaited regarding the thumb impression of the petitioner on the alleged

agreement to sell dated 02.07.2014 (Annexure P-4).

Learned counsel appearing for the complainant has opposed the prayer for bail on the ground that despite the fact that the petitioner having entered into an earlier agreement to sell with one Gurmeet Singh, has entered into a subsequent agreement to sell with the complainant without disclosing the factum regarding the earlier agreement.

Without commenting on the merits of the case, considering the fact that the petitioner is a lady, aged about 64 years; investigation is complete and challan has already been presented; she is not required for further investigation; report of the FSL is still awaited; the offences are triable by the Court of Magistrate and it will take long time for conclusion of the trial; the present petition is allowed and the petitioner is ordered to be released on regular bail subject to her furnishing bail /surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

(ARVIND SINGH SANGWAN)
JUDGE

08.02.2018

Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No