

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

**CRM-M-52935-2018 (O&M)
Date of decision: December 06, 2018**

Dinesh Kumar and another

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. S.S. Salar, Advocate
for the petitioners.

Mr. Raj Kumar Makkad, DAG, Haryana.

RAJ SHEKHAR ATTRI, J.(ORAL)

CRM-42243-2018

Application is allowed as prayed for.

CRM-M-52935-2018

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioners namely, Dinesh Kumar and Jai Bhagwan, in case FIR No.106 dated 09.05.2018 registered for the offences punishable under Sections 419, 420, 467, 468, 471, 120-B of the Indian Penal Code at Police Station Chandimandir, District Panchkula.

It is a case of the prosecution that the sale deed was executed by impersonating the petitioners. It has been submitted that they scribed the document at the instance of the executant and they have no role with regard to the identification of them. Co-accused Parveen Kumar has already been granted bail by this court vide order dated October 29, 2018 passed in *CRM-M-46746-2018*. They are in custody since 30.09.2018.

Without expressing any opinion on merits of the case and the fact that conclusion of trial will take considerably long time, no useful purpose would be served by detaining the petitioner behind the bars, therefore, the present petition is allowed. Petitioners are ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (a) The petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioners shall stand withdrawn. The trial court shall be competent to cancel their bail bond and surety bond and proceed to procure their presence in accordance with law. In that eventuality the petitioners shall have to apply for bail afresh.
- (c) They shall not leave the country without the previous permission of the court.

(RAJ SHEKHAR ATTRI)
JUDGE

December 06, 2018

m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No