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

**CRM-M No.7143 of 2018 (O&M)
Date of Decision: 13.03.2018**

Amarjit Singh

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Alok Mittal, Advocate
for the petitioner.

Mr. M.D. Sharma, AAG, Haryana.

Mr. Arvinder Arora, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.266 dated 08.06.2017, registered under Section 406, 420, 120-B IPC registered at Police Station Ambala City, District Ambala.

As per the FIR, the allegations are levelled against Gurpal Singh and Gurtej Singh son's of Sh. Mohinder Singh who cheated complainant-Kuldeep Singh (vendee) to the tune of ₹ 52,00,000/-. They have already entered into an agreement to sell with one Gurvinder Singh son of Bhajan Singh for the same

land for which now they have agreed to sell to the complainant. Gurvinder Singh had already obtained stay from the Civil Court against aforesaid Gurpal Singh and Gurtej Singh. In the disclosure statement of Gurtej Singh it has been disclosed that he had paid ₹ 5 lakh to the petitioner.

Learned counsel for the petitioner stated that the *challan* has been presented and the petitioner is in judicial custody and prosecution evidence is in progress.

The statement of fact has not been denied by the learned State counsel on instructions from Sub Inspector-Balkar Singh.

Learned counsel for the complainant however objected to the grant of regular bail on the ground that the complainant has been cheated by the accused and the booty to the tune of ₹ 5 lakh is the share of the petitioner. The petitioner is in judicial custody since 18.09.2017. The *challan* has been presented and offence is triable by the Magistrate. At this stage, without adverting to the merits of the case, I am of the view that petitioner, who is in custody can be enlarged on bail.

In view of above, petition is allowed. Petitioner is ordered to be enlarged on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial

Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

March 13, 2018.
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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No