

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

Sr. No.212

CRM-M-8293-2018

Date of decision : 06.03.2018

Karam Chand

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Ashok Kumar Khubbar, Advocate, for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No.1071 dated 10.07.2017, registered at Police Station City Jagadhri, under Sections 419, 420, 467, 468 and 120-B IPC.

As per the allegations in the FIR, the petitioner got sale deed dated 26.04.2017 registered fraudulently by projecting two ladies as his sisters and owners of the land subject matter of the sale deed. One Lamberdar, namely, Mohammad Hanif was an attesting witness thereto and at a later date he came to know that the vendors had been impersonated and therefore, he submitted an application to the Tehsildar, Jagadhri for registration of an FIR.

Learned counsel for the petitioner submits that the petitioner has been in custody since 04.10.2017 and that the investigation in this case is complete. His co-accused including ladies, who impersonated as vendors, have already been granted bail.

On the contrary, learned State counsel submits that the petitioner is the main accused. The property which is subject matter of the sale deed, is a plot of land measuring five kanals and a residential house and the petitioner has fraudulently tried to defeat the rights of his sisters. Thus, he does not deserve any leniency.

It is true that the petitioner is the main accused, but I cannot lose sight of the fact that investigation in this case is complete and the challan has already been presented in Court. The charge has not yet been framed and therefore, the trial of the case is likely to take some time. The petitioner does not have any criminal antecedents. Thus, the petitioner is not likely to abscond nor he will be in a position to influence the witnesses during the trial. Keeping the petitioner in custody would only add to the problem of over-crowding in our jails and no useful purpose would be served thereto.

Thus, the petition is allowed and the petitioner-Karam Chand is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

06.03.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No