

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

**CRM-M No.2592 of 2019
Date of Decision:-15.07.2019**

Akram

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Jamshed Ahmed, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

Petitioner Akram has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.115 dated 05.4.2018, under Sections 419, 420, 467, 468, 471 and 120-B IPC, registered at Police Station Tauru, District Nuh. The petitioner is in custody since his arrest on 09.10.2018.

The FIR was registered on the statement of complainant Usha w/o Jagdish Tanwar on the allegations that she had purchased the land (details of which is mentioned in the petition) from Raj Singh, Mahender Singh and Jatender Singh sons of Gopi Chand residents of Village Narsinhpur, Tehsil and District Gurugram vide sale deed bearing Vaseeka

No.153 dated 18.4.2006, registered with the office of Sub Registrar, Tauru. She had deployed Ram Kishan etc. as Sanjhi (helper) for agriculture work on the land in question. On 26.3.2018, said Sanjhi (helper) informed the complainant that an unknown person came to the fields and illegally taken the possession of the same and threatened to kill him. On 27.3.2018, the complainant visited the fields at village Sewka and there one Aseen Khan @ Bani s/o Sufeda Khan met her and told that he had purchased the said land and by using filthy language shown illegal weapon to the complainant and threatened her not to interfere in the said land. Thereafter, complainant managed to escaped from there. On these allegations, the FIR was registered.

Learned counsel for the petitioner contends that the land belonging to the complainant was sold in favour of Aasin Khan @ Bani by way of impersonation by producing someone else as Usha. He further contends that the petitioner has been indicted on the strength of Section 120-B IPC. No document was signed by the petitioner muchless the sale deed, which was also signed by Wahida as witness, who is also accused in the FIR in question. Learned counsel further contends that the said Wahida has also been released on regular bail by the trial Court. Learned counsel further contends that the investigation of the case is complete and further custody of the petitioner may not be justified.

On the other hand, learned State counsel, who is assisted by ASI Attar Singh, opposed the bail application on the ground that the petitioner was known to Sandeep, who appeared as Jagdish Tanwar

(husband of complainant) and some lady was also produced in place of Usha to get the sale deed registered fraudulently.

At this stage, learned counsel for the petitioner contends that the accused Sandeep, who impersonated as Jagdish has also been granted bail by the learned trial Court. This fact is not disputed by learned State counsel.

Considering the above and the fact that the trial will take sufficient time for conclusion, this Court does not find any valid reason for further detention of the petitioner in judicial custody. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing the requisite bail bonds and surety bonds to the satisfaction of the trial Court.

The petition is allowed.

July 15, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No