

**In the High Court for the States of Punjab and Haryana
at Chandigarh**

214

**CRM-M No.13787 of 2019
Date of Decision:03.04.2019**

Hanny

....Petitioner

Vs.

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Rajesh Nain, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL.J. (Oral)

The petitioner seeks grant of regular bail in case registered vide FIR No.88 dated 28.03.2018 under Sections 420, 467, 468, 471, 120- B of Indian Penal Code, 1860 registered at Police Station Sadar Gohana, District Sonipat.

The FIR was registered at the instance of Balbir Singh wherein it has been alleged that he is having 1/5th share in land comprised of 'Khewat' No.150/130 measuring 37 'Kanals' 8 'Marlas' in village Samdi and that accused Honey in connivance with 'Halqua Patwari' Samdi, Ramesh and Assistant Chatar Singh have got executed a sale deed in favour of Honey Singh and after getting mutation sanctioned had raised a loan amounting to `13,84,400/- from ICICI Bank in collusion with the Manager and Advocate of ICICI Bank.

Learned counsel for the petitioner submitted that the petitioner has

been falsely implicated in the present case and that in any case the challan already stands presented and the petitioner having been custody for the last 11 months, deserves to be released on bail, more particularly in the view of the fact that co-accused Ramesh, Chattar Singh and Manoj Kumar have already been released on regular bail by this Court.

Opposing the petition, the learned State counsel has submitted that the petitioner is the main accused and that in these circumstances, the accused cannot claim any parity with his co-accused and thus the petition deserves to be dismissed. It has further been informed that although charges have been framed but not even a single PW out of cited 11 PWs has been examined.

Having regard to the facts and circumstances of the case and bearing in mind that accused has been behind bars since last 11 months and till date not even a single PW out of cited 11 PWs has been examined and that trial, in its normal, course is likely to take some time for its conclusion, in my opinion no useful purpose would be served by further detaining the petitioner behind bars. The petition, as such is accepted and petitioner/Hanny is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

The present petition stands accepted accordingly.

03.04.2019
Ali

(Gurvinder Singh Gill)
Judge

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No