

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

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CRM-M-23562 of 2019

Date of decision: 27.05.2019

Jitender Kumar

..Petitioner

Vs.

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr.Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.(ORAL)

Petitioner-Jitender Kumar has prayed for grant of regular bail in case FIR No.282, dated 07.05.2017, under Sections 406/420/467/468/471/120-B of Indian Penal Code registered at Police Station Badshahpur, District Gurugram, Haryana.The petitioner is in custody since his arrest on 24.04.2019.

Learned counsel for the petitioner contends that the allegations in the FIR are regarding selling a flat belonging to BPL category to the complainant on the strength of Will, General Power of Attorney for a sale consideration ₹ 12 lacs. The said property could not have been sold at least for a period of 3 years and the documentation regarding transfer of the property was found on forged documents.

Learned counsel for the petitioner contends that none of the documents were executed by the petitioner Jitender Kumar, who is not named in the FIR. It is contended that the sale consideration was paid to Rinku Panchal and Sumit Chutani

(property dealers).

According to him the co-accused namely Rinku Panchal and Sumit Chutani have already paid a sum of ₹ 8 lacs to the complainant as noticed in the orders dated 14.03.2019 and 07.05.2019 (Annexures P-3 and Annexure P-5).

On the other hand, learned State counsel assisted by S.I. Jagdish Chander opposed the bail application on the ground that the offences are serious in nature and petitioner has participated in the crime. According to him it is the petitioner who has facilitated the crime by preparation of forged documents.

Considering the above background and the stage of the trial which is likely to consume considerable time, this Court is of the opinion that further detention of the petitioner is not justified. Therefore, without meaning any expression of opinion on the merits of the case, petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Gurugram.

The petition is allowed.

May 27, 2019

Poonam Sharma

**(MANOJ BAJAJ)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No