

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CRM-M-146 of 2020**

DATE OF DECISION: JANUARY 13, 2019

BALBIR SINGH

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

**CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.**

PRESENT: MR. JASPREET SINGH, ADVOCATE  
FOR MR. NAVKIRAN SINGH, ADVOCATE  
FOR THE PETITIONER.

MS. TANUSHREE GUPTA, DAG, HARYANA.

**MANOJ BAJAJ, J.(ORAL)**

Petitioner Balbir Singh has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No.276 dated 13.6.2019, under Sections 406, 420, 120-B, 34, 467, 468, 471 IPC, Police Station Shahabad, District Kurukshetra.

The FIR was registered on the statement of Swaran Singh wherein it was stated that being known to the petitioner for the last several years, the petitioner approached him and told that his friend Som Nath was having agricultural land in Dhantondi which could be sold to complainant at cheaper rates, as Som Nath was in need of money. Believing the petitioner, he agreed to buy the said land for ₹23,25,000/- and handed over to him ₹3,25,000/- against which a receipt was given by the petitioner issued by Som Nath, whereupon petitioner also signed as one of the witnesses. Later on, he came to know that the original owner of the land sold the same

to someone else and Som Nath acted as a Dealer and received his commission.

Learned counsel for the petitioner contends that the co-accused Som Nath has been granted the concession of pre-arrest bail by this Court on 7.11.2019. He submits that final report in the present FIR has been filed and as the petitioner was arrested on 27.7.2019, therefore, further custody of the petitioner is not justified particularly when the investigation of the case is complete.

On the other hand, learned counsel for the State assisted by SI Devi Singh opposed the aforesaid prayer. However, it is not disputed that the investigation of the case is complete.

After hearing the learned counsel for the parties, this Court is of the opinion that the offences are triable by Magistrate and the trial of the case is likely to consume considerable time, therefore, further custody of the petitioner may not be justified, who is confined 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 requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

January 13, 2019  
Gulati

**(MANOJ BAJAJ)**  
**JUDGE**

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No