

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

105

CRM-M-11986-2020

Date of decision: 06.05.2020

Surender Numberdar

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr.Vishwajeet, Advocate, for the petitioner.

Mr.Kuldeep Tewari, Addl.A.G., Haryana.

G.S. SANDHAWALIA, J. (Oral)

Petitioner seeks regular bail in FIR No.251 dated 21.11.2019, registered under Sections 419, 420, 467, 468, 471 IPC, at police station Julana, District Jind, on the strength of being a attesting witness as a Numberdar, to the sale deed dated 09.05.2019.

The land had been allegedly sold by Ram Chander, who expired in 1979 and who was impersonated by one Satyawan who was wrongly identified by the petitioner. It is pointed out by counsel for the petitioner that sale deed was in favour of 3 persons, namely, Dharambir, who was granted anticipatory bail on 23.01.2020 (Annexure P-2) and Anil @ Lila, who was granted anticipatory bail on 15.01.2020 (Annexure P-3), by this Court. Similarly, the other attesting witness, Sanjay has also been granted interim bail on 20.12.2019 (Annexure P-4). It is submitted that petitioner has been under custody since January, 2020 and has also medical ailments to battle with in custody which finds mention in the order of the Sessions Judge dated 16.03.2020 (Annexure P-5).

A perusal of the same would go on to show that there is a bullet lodged inside petitioner's body near his heart and he has also a iron rod

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inserted in one arm which had been fractured. It has also been brought to the notice of this Court that the beneficiary, Vijay Kumar has stated in civil proceedings that the sale deed in their favour may be cancelled.

Resultantly, keeping in view the above facts that the petitioner is not a beneficiary, as such and has undergone approximately 4 months of custody, no useful purpose would be served by keeping him in custody. Accordingly, the present application is allowed and the petitioner be released on bail, to the satisfaction of the Ilaka Magistrate/Duty Magistrate.

06.05.2020
Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*