

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

107

**CRM-M-12470-2020
Decided on : 18.05.2020**

Surender Singh

... Petitioner

Versus

State of Haryana

... Respondent

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

Present: Mr. Sanchit Punia, Advocate
for the petitioner.

G.S. Sandhawalia, J. (Oral)

The matter has been taken up by way of Video Conferencing through Cisco Webex Application in view of COVID-19 situation, as per instructions issued

In the present petition filed under Section 439 Cr.P.C, the petitioner seeks grant of regular bail in case FIR No.403 dated 23.09.2019 under Sections 420, 406, 506, 467, 468, 471 and 120B of IPC registered at Police Station, Azad Nagar, Hisar.

Counsel for the petitioner Mr. Punia has submitted that the allegation against the petitioner is as such of facilitating the purchase of two plots for ₹16 lakhs by the petitioner and one Satpal. The main accused is stated to be Balwan Singh, the President of the Society, who had issued the allotment letter as such regarding Plots No.47 and 38. It is submitted that the co-accused Satpal who is similarly placed has been granted the benefit of interim anticipatory bail in CRM-M-3448-2020 on 26.02.2020 (Annexure P-4) and the case is pending for 09.07.2020. The petitioner is stated to be in custody since 25.02.2020.

The complainant Ravi Kumar has also given an affidavit (Annexure P-3) on the next day after arrest that he has received his money and he does not want to take action against the said person, which fact has also been noticed by the Additional Sessions Judge, Hisar, while dismissing the bail application on 09.03.2020 (Annexure P-2) and also while observing that not a single penny has been recovered.

Counsel for the State Mr. Pardeep Chahar, DAG, Haryana could not explain as to why the main accused has not been arrested.

Keeping in view the fact that the similarly situated person has been granted the benefit of interim anticipatory bail by the Coordinate Bench of this Court and the petitioner has been in custody since 25.02.2020 and the matter seems to have been settled, no useful purpose will be served by keeping the petitioner in further incarceration.

Accordingly, the present petition is allowed and the petitioner is granted the benefit of regular bail to the satisfaction of Illaqa Magistrate/Duty Magistrate, Hisar.

MAY 18, 2020
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No