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

**CRM-M No.18120 of 2020
Date of Decision: 28.07.2020**

Rajender Kumar

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Munish Mittal, Advocate
for the petitioner.

Mr. Anant Kataria, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.12 dated 23.01.2020, registered under Sections 419, 420, 467, 468, 471 and 120-B IPC at Police Station Sushant Lok, District Gururam.

Learned counsel for the petitioner by relying upon order dated 09.06.2020 passed in CRM-M No.13165 of 2020 and CRM-M No.13632 of 2020 in cases of Subhash Chand Arora and Lucky Uppal respectively and order dated 24.07.2020

passed in CRM-M No.17827 of 2020 in case of Nitin Tiwari submitted that the regular bail has been granted to the aforesaid co-accused.

The allegations are that one Anoop Singh Dhankar was owner of plot No.2165, Block-C, Sushant Lok-I, Gurugram on the basis of sale deed dated 07.04.1993. He has transferred the said plot in favour of his wife Anurita Dhankar vide transfer deed dated 19.08.2014. In view of that transfer, wife of the complainant became absolute owner of the plot in question. On 19.01.2020, a call was received by the complainant that one Vibha had put the said plot on sale on the basis of some forged sale deed dated 07.01.2020. Some persons impersonated the complainant Anoop Singh and thereafter sold the plot to Vibha. The sale deed was witnessed by Sanjay Kumar Malik and Subhash Chand Arora as witnesses.

Learned counsel for the petitioner submitted that name of the petitioner has not been mentioned in the FIR. His name was allegedly disclosed by the co-accused Vibha to the extent that she had borrowed a sum of Rs.5 lakhs from the petitioner and has returned the amount to the petitioner.

According to learned counsel, the complicity of the petitioner would remain debatable as his name appeared in the disclosure statement of co-accused.

Learned State counsel opposed the prayer on the ground that the petitioner has played active role in the preparation of forged documents which have been used in preparation of sale deed dated 07.01.2020 in favour of Vibha. Challan has been presented, but charges have not been framed so far. The offences are triable by the Court of Magistrate.

In view of totality of facts and circumstances of the case and also in view of the pandemic COVID-19, I am of the view that the concession of regular bail can be granted to the petitioner. Consequently, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

July 28, 2020	(RAJ MOHAN SINGH)
Atik	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No