

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50812-2019

Date of Decision: 20.01.2020

Sharad Sharma

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sushil Gautam, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

Mr. Suresh Kumar Kaushik, Advocate
for complainant-Subhash Chand.

Mr. Kamal Mor, Advocate
for complainant-Ruby Rani.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.344 dated 30.05.2018, under Sections 120-B, 406, 420, 467, 468 and 471 IPC, registered at Police Station Gharaunda, District Karnal. He is in custody since his arrest on 21.09.2019.

As per the prosecution case, Neena Sharma in collusion with Savarya Girdhari and Sharad Sharma had sold the land in question to Subhash Chand fraudulently, which was earlier sold in favour of Ruby Rani on 08.04.2010.

Learned counsel for the petitioner contends that the petitioner is neither a beneficiary of the alleged sale deed nor had signed the alleged documents. It is pointed out that the investigation of the case is complete and the final report has been filed.

On the other hand, learned State counsel assisted by ASI Manoj and counsel appearing on behalf of the complainant has opposed the prayer on the ground that in fact the sale deed had been signed by the petitioner as Sonu. Learned State counsel does not dispute the fact that the investigation is complete.

After hearing learned counsel for the parties, this Court finds that the challan has been presented and as the offences are triable by the Magistrate, therefore, keeping in view the fact that the trial of the case is likely to consume considerable time, further custody of the petitioner is not necessary. 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 Karnal.

The petition is allowed.

20.01.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No