

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-51357-2019 (O&M)
Date of decision: 05.03.2020

Boor Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. D.S. Virk, Advocate and
Dr. Prem Nath, Advocate for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

Ms. R.K. Thind, Advocate for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.81 dated 21.03.2018 under Sections 420, 467, 468, 471, 120-B IPC, registered at Police Station Rania, District Sirsa.

Learned counsel for the petitioner submits that in the FIR, registered at the instance of Sub Divisional Magistrate, Ellenabad, it is stated that legal action be taken against petitioner Boor Singh, Khushal Singh (deceased) through LRs and Ramesh Kumar, who have presented one agreement to sell dated 14.10.1997 before the District Collector, Sirsa. On an inquiry conducted by the District Collector, Sirsa regarding authenticity of the agreement from the office of SDM (N), Ellenabad, the same was found to be a forged document, as the stamp paper, on which it was prepared, was not found to be issued by the treasury. It is further submitted that the petitioner is an old man aged about 71 years; he is in custody since 19.08.2019; he is not involved

in any other case; challan qua him stands presented and the offences are triable by the Court of Magistrate. It is also submitted that even CWP No.22379 of 2019 filed by the petitioner and others is pending before this Court with regard to rights of the property.

Learned State counsel, on instructions from ASI Rajesh Kumar, has not disputed the factual position.

Learned counsel for the complainant has, however, opposed the prayer for bail on the ground that the complainant has filed a petition i.e. CRM-M-6978-2020, praying for issuance of direction to conduct proper investigation of the case, as co-accused Balbir Singh, whose anticipatory bail was dismissed by this Court, was not arrested by the police.

After hearing learned counsel for the parties and considering the fact that the petitioner is an old man aged about 71 years; he is not involved in any other case; challan qua him stands presented and since the offences are triable by the Court of Magistrate, it will take some time in conclusion of the trial, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

It is clarified that the observations made herein shall have no bearing on merits of the case, as these are only for the purpose of deciding the present bail application.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

05.03.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No