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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-16991-2021 in/and
CRM-M-22159-2021
Date of Decision: 13.07.2021

Sandeep Goyal

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Pavit Mattewal, Advocate and
Mr. Pratham Sethi, Advocate for the petitioner.

Ms. Harpreet Kaur, Asstt. A.G., Haryana.

AVNEESH JHINGAN, J (Oral):

CRM-16991-2021:

[1] The matter is taken up for hearing through video conference due to COVID-19 situation.

[2] This is an application for placing on record order dated 3rd June, 2021 passed in CRM-M-22047-2021.

[3] For the reasons mentioned in the application, same is allowed.

[4] Order dated 3rd June, 2021 is taken on record, subject to all just exceptions.

CRM-M-22159-2021:

[5] This is petition seeking regular bail in F.I.R. no. 200, dated

5th April, 2021, under Sections 406, 420, 467, 468, 471 and 120-B of I.P.C. (Section 474 I.P.C. was added later on), registered at Police Station Civil Line Karnal, District Karnal.

[6] The F.I.R. was registered on the basis of enquiry report received from the office of A.D.G.P./C.I.D., Haryana, wherein it was mentioned that in the year 2015 there was tampering of municipal records of the property in dispute, to change its occupants. The property was transferred in favour of Sanjay Kumar on the basis of transfer deed dated 31st July, 2017.

[7] Learned counsel for the petitioner submits that only role attributed to the petitioner is that he was only the attesting witness to the sale deed. He was neither the beneficiary nor vendor/vendee. The recovery of ration card of the petitioner nowhere associates him to the offence. He submits that no recovery is to be made from the petitioner. He further relies upon the order dated 3rd June, 2021 passed by this Court in CRM-M-22047-2021 whereby the co-accused Babli was granted anticipatory bail.

[8] Learned State counsel opposes the prayer for grant of bail. She argues that there was tampering with the municipal records and the property was wrongly transferred to Sanjay Kumar.

[9] After hearing learned counsel for the parties at some length and going through the pleadings, it is forthcoming that role attributed to the petitioner is of attesting witness to the transfer deed. He was neither the beneficiary nor a transferor/transferee. There is no direct

relation forthcoming relating recovery of ration card from the petitioner to the offence alleged in F.I.R. No recovery is made from him. The co-accused has already been granted anticipatory bail and conclusion of trial is likely to take time.

[10] The petition is allowed.

[11] The petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

[12] It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

13th July, 2021

pankaj baweja

1. Whether speaking/ reasoned	:	Yes
2. Whether reportable	:	Yes