

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

224

**CRM-M-33864 of 2021
Date of Decision:22.09.2021**

Surender Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Inderpal Singh Parmar, Advocate, for
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana

Mr. Nitin Jain, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

Vide this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.258, dated 29.04.2021, having been registered at Police Station Indri, District Karnal, alleging therein the commission of offences punishable under Sections 408, 419, 420, 467, 468 and 471 of the IPC.

Learned counsel for the petitioner submits that nothing has been recovered from the petitioner to implicate him as a colluder with the others, who had allegedly executed a sale deed of land stated to be belonging to the

complainant, the petitioner only being shown to be a witness to such sale deed.

Learned counsel for the complainant on the other hand submits that the complainant, Sumer Chand, is 84 years old and at the time of the sale deed being executed in the year 2013 and he was 75-76 years old, with the person who has impersonated him, i.e. Jangsher, being a young man who is a co-worker with the petitioner in the shop of the third colluder, i.e. Ashok Kumar, and therefore with the petitioner obviously knowing that Jangsher is not Sumer Chand.

Keeping in view the above, with the material witnesses still to be examined, I would see no reason to entertain this petition, which is consequently dismissed at this stage.

However, all observations made hereinabove are only in the context of a petition filed under the provisions of Section 439 of the Cr.P.C., with the trial to naturally proceed wholly on the basis of evidence led before the trial court.

September 22, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No