

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

CRM-M-41077-2021 (O&M)
Date of decision: 17.11.2021

Sanjay Chauhan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Veena Hooda, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 157 dated 13.04.2021, registered under Sections 406, 420, 506 IPC, at Police Station Gandhi Nagar, District Yamuna Nagar.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The petitioner was only an attesting witness to the sale deed executed in favour of Kanwaljit wife of Manjit Singh and Dheeraj Dutt wife of Vijay Dutt, vide registered sale deed dated 27.11.2018. The petitioner was not a beneficiary in any manner. The mutations stood already sanctioned. The petitioner was arrested on 30.07.2021 and no recovery is to be effected from him. No prosecution witness has been examined so far.

Learned State counsel, while vehemently opposing the prayer for bail submits that the petitioner and co-accused have played a fraud with the complainant party. The petitioner is a habitual offender and he is involved in three other cases of a similar nature. However, he does not dispute the custody period of the petitioner. The prosecution witnesses are yet to be examined.

Learned counsel for the petitioner submits that the petitioner is on bail in other cases and therefore, mere pendency of the other cases is no ground to deny the concession of bail to the petitioner.

I have heard the learned counsel for the parties.

The petitioner was arrested on 30.07.2021. The prosecution witnesses are yet to be examined, therefore, the conclusion of the trial would taken a long time. Moreover, in other pending cases, the petitioner is on bail. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

17.11.2021
Mangal Singh

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No