

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

223

**CRM-M-39757 of 2021
Date of Decision: 11.11.2021**

VED PARKASH @ VED KUMAR

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Rahul Mohan, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C.
for the grant of regular bail in FIR No.266 dated 18.11.2019, registered
under Sections 417, 420, 465, 467, 468, 471, 474 and 120-B IPC at Police
Station Adampur, District Hisar.

Briefly stated, the case of the prosecution is that in the year
2012, the petitioner, who is the complainant's real brother, stole blank papers
signed by their mother and then gave the same to co-accused Aggarsain, on
which Aggarsain got drafted an agreement to sell of a property owned by
their mother and on the basis of the said forged agreement to sell filed a civil
suit against the complainant and his mother seeking therein its specific
performance.

Seeking regular bail for the petitioner, learned counsel for the
petitioner submits that the petitioner has been falsely implicated in this case
at the behest of the complainant, who is his brother, on account of civil
disputes between the parties with regard to the property left by their father;

he is not involved in any other criminal case; the FIR has been lodged after an unexplained delay of 7 years as the complainant was well aware of the allegations which he has now made way back in the year 2012; qua the petitioner investigation in the case is complete and therefore, the petitioner is neither needed by the prosecution nor can he influence the same; in any case, the entire case is based on documentary evidence which does not require the petitioner's further incarceration; in a magisterial trial, the petitioner is in custody since 25.08.2021; co-accused Aggarsain who has approached this Court through CRM-M-8456-2021-Aggarsain Vs. State of Haryana, has been granted ad interim anticipatory bail and that the petitioner's trial which is yet to begin will take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner is alleged to have stolen documents from his mother and then used the same for his personal gain.

The fact of delay in lodging of the FIR in question as also whether the FIR has been lodged due to personal enmity between the petitioner and the complainant would be gone into during the course of the petitioner's trial. However, in a magisterial trial, the petitioner is in custody since 25.08.2021; qua the petitioner the investigation stands concluded; the petitioner does not have any other criminal case pending against him; no further recovery is required to be made from the petitioner and that the petitioner's trial, which is yet to begin, is likely to take a long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Hisar the

petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

11.11.2021
D.Bansal

(DEEPAK SIBAL)
JUDGE

Whether speaking/ reasoned :	Yes/ No
Whether Reportable :	Yes/ No