

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

**CRM-M-41664-2021
Date of decision: 30.11.2021**

Surjeet Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. M. S. Virk, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 60 dated 01.06.2020, registered under Sections 419, 420, 467, 468, 471, 120-B of the IPC at Police Station Tauru, District Mewat.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant Abhay Singh, it is stated that in July, 2013, Asu and Allu met complainant as they were known to him and they showed him photocopies of an agreement to sell and jamabandis for 06 Kanals of land and offered the complainant to purchase the same. After some days of talking, the complainant struck a deal of Rs. 50 Lakh with one Munsharif and paid him a sum of Rs. 6 Lakh as earnest money. Thereafter, the complainant got the sale deed registered in the name of his two

daughters-in-law on 14.08.2013. Later on, on 05.10.2014, the complainant received a phone call from Om Associates informing him that the ownership of the said land, which the complainant had purchased, in facts belongs to Om Associates and thereafter, when the complainant verified the said fact, he came to know that all the accused, with a pre-planned manner, have cheated the complainant and grabbed Rs. 52 Lakh from him.

Learned counsel for the petitioner further submits that co-accused Munsharif, who was given the earnest money of Rs. 6 Lakh, has been granted the concession of interim anticipatory bail by this Court, vide order dated 10.09.2021 passed in CRM-M-37544-2021.

Learned counsel further submits that investigation is complete; the petitioner is in judicial custody for the last 01 year, 02 months and 10 days; the offences are triable by the Court of a Magistrate and it will take a long time in conclusion of trial.

Learned counsel further submits that petitioner is not involved in any other case and the allegations levelled by the complainant are yet to be proved during the course of trial by leading evidence.

Learned State counsel has filed the custody certificate and has opposed the prayer of the petitioner on the ground that the petitioner is still in possession of the land in dispute and he has not returned the amount back to complainant.

After hearing learned counsel for the parties, without making any comment on the merits of the case, considering the fact that petitioner is in judicial custody for the last 01 year, 02 months and 10 days; he is not involved in any other case and also in view of the fact that the offences are

triable by the Court of a Magistrate and conclusion of trial is likely to take a long time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

30.11.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No