

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

(I)

CRM-M-1484-2022 (O&M)

Date of Decision:- 11.2.2022

Satbir Singh

... Petitioner

Versus

State of Haryana

... Respondent

(II)

CRM-M-4220-2022 (O&M)

Budh Ram

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gaagan Pradep Singh Bal, Advocate,
for the petitioner in CRM-M-1484-2022.

Mr. V.P.Sangwan, Advocate,
for the petitioner in CRM-M-4220-2022.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by ESI Jagdish.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned two petitions wherein petitioners Satbir Singh and Budh Ram, seek grant of regular bail in a case registered vide FIR No. 147, dated 1.6.2021, Police Station Siwani, District Bhiwani, under Sections 419, 420, 467, 468, 471, 120-B IPC.
2. The FIR in question was lodged at the instance of Renu, wherein it is alleged that some land had been allotted in the name of her father Banarasi Das and his two brothers Munshi Ram and Om Parkash upon partition of India and Pakistan. The said land was situated in village Siwani, District Bhiwani. It is alleged that complainant's father Banarasi Das expired on 23.08.1993 and his brother Munshi Ram expired on 24.03.1995. It is alleged that the said land has now, however, been sold by Ramesh Chander on 03.09.2015 by professing himself to be an attorney by virtue of Attorney No.04579 dated 30.07.2015 of Banarasi Das, Om Parkash and Munshi Ram in respect of land measuring 39 kanals and 18 marlas, whereas the said persons had already expired. It is alleged that the said land had been sold to Ishwar Singh, Budh Ram (petitioner) and Satbir (petitioner).
3. Learned counsel representing the petitioners have submitted that infact it is a case where they themselves have been cheated and deprived of huge amount by co-accused Ramesh, as the entire consideration for the sale-deed had been passed on to said Ramesh. It has also been submitted that during the course of inquiry it has been verified that power of attorney executed in favour of Ramesh

had been genuinely registered in the State of Calcutta and in these circumstances the petitioners are *bona fide* purchasers for consideration and cannot be attributed any kind of criminality in having purchased the land in question.

4. Opposing the petition, learned State counsel has submitted that the petitioners were hand in gloves with other co-accused including Ramesh Chander and infact they were all property dealers and had got the sale-deed executed on the basis of forged documents by showing dead persons to be alive. The learned State counsel has however, informed that both the petitioners have been behind bars since the last about 5 months and that none of them is involved in any other case. It has further been informed that no PW has been examined so far.
5. I have considered rival submissions addressed before this Court.
6. It will be debatable as to whether the petitioners were hand in gloves with Ramesh Chander or as to whether they themselves have been cheated by Ramesh Chander. In any case, the petitioners have been behind bars for a substantial period of 5 months and are even not stated to be involved in any other case. Conclusion of trial is likely to consume time as no PW has been examined till date. In these circumstances, further detention of the petitioners is not justified. The petitions, as such, are accepted and the petitioners are ordered to be released on bail subject to their furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

7. A photocopy of this order be placed on the connected case.

11.2.2022

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(GURVINDER SINGH GILL)
JUDGE

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