

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

CRM-M-23481-2022
Date of Decision:-01.06.2022

NISAR KHAN

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Pankaj Mahavir Chauhan, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of regular bail to the petitioner in case bearing FIR No.311 dated 16.11.2021 registered under Sections 406, 420, 467, 468, 471, 506, 120-B IPC (Section 201 IPC added later on) at Police Station Chappar, District Yamunanagar.

Counsel for the petitioner submits that the petitioner was arrested in this case on 9.2.2022 and now the trial is going on. The counsel further contends that no such agreement to sell as alleged by the complainant was ever forged by the petitioner or his companions. Dispute regarding validity of the agreement to sell is already pending before Civil Court at

Yamuna Nagar between co-accused Tejbir and complainant-Mukesh Kumar. The counsel further contends that co-accused Tejbir has already been granted concessions of regular bail by this Court vide order dated 19.4.2022 (Annexure P-3).

Notice of motion.

On the asking of the Court, Mr. Naveen Kumar Sheoran, DAG, who is having advance copy of the petitioner accepts notice on behalf of State of Haryana and submits that there are serious allegations appearing on the record that the petitioner connived with co-accused Tejbir and forged one agreement to sell. However, the State counsel has not disputed the fact that co-accused Tejbir has already been granted regular bail by this Court.

I have considered the submissions made by counsel for the parties.

As per the allegations in the FIR, co-accused Tejbir took one shop on rent from the father of the complainant and the said accused forged one agreement to sell in his favour, in connivance with the present petitioner and some other persons.

The petitioner was arrested in the present case on 9.2.2022 and is presently lodged in judicial custody. After completion of investigation, challan has been presented and now trial is going on. However, it will take time for trial to conclude. Admittedly co-accused Tejbir has been granted regular bail by this Court vide order dated 19.4.2022 (Annexure P-3).

Keeping in view facts and circumstances mentioned above, no fruitful purpose is going to be served even if the petitioner is kept in judicial custody for indefinite period. Thus without commenting on the merits of the

case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

01.06.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

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