

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

228

CRM-M-42719 of 2022
Date of Decision:21.09.2022

Budh Ram

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. V. P. Sangwan, Advocate,
for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.0108 dated 11.03.2022, under Sections 120-B, 419, 420, 467, 468 and 471 IPC (Section 201 IPC added later on), registered at Police Station Siwani, District Bhiwani.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody from 16.05.2022 and the investigation of the case has already been completed. He submitted that as per the allegations which are contained in the FIR, one Thakur Dass had died and he had left behind the property, which was allotted to him in lieu of his property in Pakistan and thereafter the property was succeeded to his children. Some of the persons had allegedly impersonated him and his relatives and the property was transferred in the name of some other persons. He submitted that so far as the present petitioner

is concerned, he was only attesting witness to the sale deed and there is no other role attributed to the petitioner. He further submitted that the other co-accused namely Manish has already been granted bail by this Court on 24.08.2022 in CRM-M-33472 of 2022. He submitted that no recovery is to be effected from the petitioner since the investigation of the case has already been completed and therefore he may be considered for grant of regular bail.

On the other hand, Mr. Naveen Singh Panwar, learned DAG, Haryana has stated that it is correct that the investigation of the case has already been completed and the petitioner is in custody from 16.05.2022 and also the other co-accused namely Manish has been granted bail by this Court. He further submitted that it is also correct that the role of the petitioner was that he is the signatory to the sale deed. However, he has opposed the grant of bail on the ground that it was within the knowledge of the petitioner that it was a case of impersonation.

I have heard the learned counsel for the parties.

The investigation of the case has already been completed and no recovery is to be effected from the petitioner. The other co-accused namely Manish has been granted bail by this Court on 24.08.2022. As per the allegation, the petitioner was only a signatory to the sale deed and it is yet to be ascertained at the time of the trial as to whether it was within the knowledge of the petitioner that it was a case of impersonation or not. Be that as it may, the trial of the case may take long time and therefore in view of the aforesaid position, this Court deems it fit and proper to grant bail to the petitioner.

Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction

of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an
expresion of opinion on merits of the case and is only meant for the purpose of
decision of present petition.

(JASGURPREET SINGH PURI)
JUDGE

September 21, 2022
dinesh

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No