

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

CRM-M-58995-2022
Date of Decision:- **22.12.2022**

SUSHIL MANDAL

... Petitioner

Versus

STATE OF HARYANA

... Respondent

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. Bipan Ghai, Senior Advocate with
Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

Mr. Vikas Rohal, Advocate for
Ms. Suman Sagar, Advocate
for the complainant.

Mr. Vishal Kashyap, DAG, Haryana.

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KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.657 dated 1.10.2022 registered under Sections 406, 420, 467, 468, 471, 120-B IPC at Police Station Krishna Gate Thanesar, District Kurukshetra.

The counsel for the petitioner submits that the petitioner has been falsely implicated in this case and the only allegations against him are

that he signed as an attesting witness to the agreement to sell in question dated 24.11.2021 stated to be executed by Seema Devi in favour of the complainant with regard to sale of her property and that he is in custody for the last more than 2 months and after completion of investigation the police has presented the challan, so prayer is made that present petition be allowed.

Present petition is contested by the State counsel as well as by Dr. Vikas Rohal, Advocate, who has put in appearance on behalf of complainant and has filed power of attorney, which is ordered to be taken on record. Both of whom have submitted that main accused Seema Devi colluded with the present petitioner, who is her husband and executed agreement to sell in question with regard to her property and took amount of ₹11 lacs from the complainant and thereafter sold the said property to some other persons and thereby defrauded the complainant and that now the complainant has also filed civil suits against those persons. However the State counsel on instructions from ASI Jasbir submitted that the petitioner was arrested on 20.10.2022 and is presently lodged in judicial custody and that on completion of investigation, challan has been presented against the petitioner by the police.

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

All the offence are triable by the Judicial Magistrate Ist Class. The allegations against the petitioner are that he attested one agreement to sell stated to be executed by Seema Devi in favour of the complainant with regard to her property. The entire case is based on documentary evidence, which is already taken into its possession by the police and after completion

of investigation, the police is presented the challan in the Court concerned and it will take considerable time for the trial to conclude. The petitioner is in custody for the last 2 months.

In view of the above, no purpose is going to be served by keeping the accused behind the bars for any longer 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.

22.12.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No