

Jai Bhagwan

.... Petitioner

Versus

The State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. H.S. Sandhu, Advocate for the petitioner.

Mr. Jaspal Singh Guru,
Assistant Advocate General, Punjab.

Mr. Sandeep Berwal, Advocate for
Mr. Arvind Kumar Yadav, Advocate for the complainant.

ASHOK KUMAR VERMA, J. (ORAL)

Custody certificate dated 11.03.2023, filed by learned
counsel for the State, is taken on record.

The petitioner has filed the present petition under Section
439 Cr.P.C., for grant of regular bail in case FIR No. 345 dated
27.10.2022 registered under Sections 406, 420, 465, 467, 468, 471 and
120-B IPC at Police Station Dera Bassi, District SAS Nagar.

Brief facts of the prosecution story in nutshell are that the
present FIR was registered on the complaint of one Rakesh Mehta to the
effect that he had purchased a plot from Randeep Singh S/o Mehar Singh
but some person by impersonating himself as the real owner Randeep
Singh, sold the said plot to petitioner-Jai Bhagwan S/o Pritam Chand on
14.05.2019. Pawan Kumar, Numberdar of village Lalru attested the sale

deed dated 14.05.2019. Jarnail Singh S/o Hakam Singh also attested the sale deed. Jai Bhagwan, executed a power of attorney in favour of Baljinder Singh, regarding the said plot and sold the same to one Parveen Kumar. During investigation, it was found that co-accused-Vinod Kumar, instigated the attesting witnesses to put their signatures on the sale deed. The fake Randeep Singh, later on disclosed that his name is Ravinder Singh S/o Mela Ram. He also stated that co-accused-Vinod Kumar, instigated him to commit the offence.

Learned counsel for the petitioner, *inter alia*, contends that the petitioner has falsely been implicated in the instant case as he is also a victim of fraud played upon him by co-accused-Vinod Kumar. He further submits that now, the matter has already been compromised between the parties as per compromise deed dated 15.02.2023 (Annexure P-6). Petitioner is not involved in any other case. Petitioner is in custody since the date of his arrest. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. More so, co-accused of the petitioner, namely; Vinod Kumar, has already been granted the concession of anticipatory bail by this Court vide order dated 11.01.2023 (Annexure P-5). Therefore, the petitioner may also be released on regular bail.

On the other hand, on instructions of ASI Lakhwinder Singh learned State counsel assisted by learned counsel for respondent No. 2-complainant admits the factum of compromise between the parties.

Keeping in view the facts and circumstances of the case, custody period of the petitioner, non-involvement of petitioner in any

other case and the fact that the matter has already been compromised between the parties, but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and petitioner-Jai Bhagwan, is ordered to be released on regular bail on his furnishing of bail/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

March 13, 2023
rishu

(ASHOK KUMAR VERMA)
JUDGE

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