

2023:PHHC:049520

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

Sr. No. 252

CRM-M-15659-2023
Date of Decision:-11.04.2023

HARMANJIT SINGH @ HARMANPREET SINGH ... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- -.-
Mr. Ashok Giri, Advocate for the petitioner.

Mr. Sanish Girdhar, AAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of regular bail to the petitioner in case having FIR No.140, dated 15.11.2022, under Sections 420, 465, 467, 468, 471, 120-B IPC, 1860, Police Station Bhogpur, District Jalandhar Rural.

Learned counsel for the petitioner *inter-alia* contends that the petitioner who is in custody since 12.12.2022 has been falsely implicated in the present case and the only allegation against the petitioner is that he merely signed the sale deed in question as an attesting witness and is not a beneficiary in any manner. Counsel for the petitioner further submits that the main accused Soffi Gangar and her husband Amandeep Gangar have already been granted concession of interim bail vide order Annexure P-3 and P-4. Even similarly situated co-accused Sukhwinder Singh, Nambardar has also been granted the benefit of interim bail vide order Annexure P-2. Counsel for the petitioner further submitted that it will take considerable time for the trial to conclude.

The present petition is opposed by the learned State counsel who submits that the property, owned by the husband of the complainant who has since been died, was got transferred by Soffi Gangar in her name and at the time of execution of alleged sale deed, one Dinesh Kumar impersonated himself as the original owner Gurmail Singh since deceased, and the petitioner along with one Sukhwinder Singh,

Nambardar attested the said sale deed. However, the State counsel has not disputed the fact that the petitioner is in custody since 12.12.2022 and that main accused Soffi Gangar and her husband and similarly situated co-accused Sukhwinder Singh have already been granted concession of interim bail vide Annexures P-3, P-4 and P-2 respectively. Learned State counsel has further apprised the Court that after completion of investigation, challan has been presented before the concerned Court but the charges are yet to be framed and that the petitioner is having no criminal history.

Admittedly all the offences are triable by a Judicial Magistrate and the only allegation against the petitioner is that he signed the sale deed in question as its attesting witness. Co-accused Soffi Gangar who appears to be the main beneficiary of the alleged transaction has been granted concession of interim bail vide order Annexure P-3 and even the similarly situated co-accused Sukhwinder Singh who also attested the sale deed in question has been granted interim bail vide order Annexure P-2 by this Court. Further the investigation in the present case has been completed but trial is yet to commence and even thereafter it will take considerable time for the trial to culminate. In the given circumstances, no purpose is going to be served by detaining the petitioner in custody for any longer period.

Accordingly, without commenting on the merits of the case, the present petition is hereby allowed and the petitioner is admitted to regular bail subject to his furnishing adequate bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate, Jalandhar Rural.

11.04.2023
yogesh

(KARAMJIT SINGH)
JUDGE

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