

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-18540-2023

Date of Decision: 24.04.2023

Prince Brain

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Amit Choudhary, Advocate for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

Sandeep Moudgil, J. (Oral)

Present petition under Section 439 Cr.P.C. has been filed for grant of regular bail to the petitioner in case FIR No. 229 dated 14.04.2022, under Section 419,420,467,468,471 and 120-B of IPC, 1860 registered at Police Station Adampur, District Hisar.

Learned counsel for the petitioner contends that he has been falsely implicated in the instant FIR by the complainant whereas dispute involved in the present FIR is of civil nature and parties are already entangled in civil litigation, before the competent Court at Hisar.

The counsel for the petitioner has drawn attention of this Court to the order dated 24.03.2023 passed in *CRM-M-15200-2023* whereby the co-accused of the petitioner namely-Sonu Sheoran, has been granted concession of interim bail and now, the case is fixed for 18.07.2023.

Having examined the submission as well as sale deeds dated 30.10.2015 (Annexure P-3) and 14.03.2022 (Annexure P-6), which are in dispute, though prima facie make out a case of disputed facts, there is no iota

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of doubt that if needs to be proved by leading evidence before the trial Court and the identity of the land is the sole question, to be adjudicated with the help of revenue record during the course of trial in the Court.

Considering the aforesaid facts and circumstances coupled with the fact that the co-accused has already been granted the concession of interim bail, this court is of the considered view that no useful purpose would be served by keeping the petitioner behind bars, the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of CJM/Duty Magistrate, Hisar.

The petition stands allowed.

However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

24.04.2023
Harish Kumar

(SANDEEP MOUDGIL)
JUDGE

1. *Whether speaking/reasoned?*

Yes/No

2. *Whether reportable?*

Yes/No