

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

CRM-M-829-2023 (O&M)

Date of Decision: 9th February, 2023

Parveen Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. R.S. Mamli, Advocate for the petitioner.
Mr. Sharad Aggarwal, AAG, Haryana.

AVNEESH JHINGAN , J.(Oral)

1. This petition is filed seeking regular bail in case FIR No. 38, dated 19th February, 2022, under Sections 406 and 420 of Indian Penal Code, 1860 (for short 'the Act') registered at Police Station Raipur Rani, District Panchkula.

2. The FIR was registered at the instance of complainant-Mahipal stating that he is in the business of selling and purchasing wood. Petitioner-Parveen Kumar showed him Safeda, Kikkar, Sheesham trees standing on the land measuring 6-7 acres land and claimed that the land belongs to him. The parties agreed for a sale consideration of Rs. 6,75,000/-, the petitioner had to take permission from the Forest department. When the complainant along with the labourers reached the spot, the original owner came forward and disclosed that the land belongs to him.

3. Learned counsel for the petitioner submits that the land belongs to petitioner. There was a dispute with regard to the land for which an FIR was registered, the matter has been compromised. Contention is

4. Learned State counsel opposes prayer for grant of regular bail and submits that complainant was cheated. He on instructions fairly submits that investigation is complete and challan stands presented.
4. Without commenting upon the merits of the case, considering that the allegations have pre-dominant tone and tenor of a civil dispute, though the investigation is complete conclusion of the trial is likely to take time, petitioner is granted bail, subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned. The amount deposited shall be subject to outcome of the trial and the same be kept in the FDR in a nationalized bank and in case of failure of the petitioner to appear during the trial, said amount shall be forfeited.
5. The petition is allowed.
6. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
7. Since the main petition is allowed, pending application, if any, rendered infructuous.

(AVNEESH JHINGAN)
JUDGE

9th February, 2023
Parveen Sharma

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