

S. No.230

2024:PHHC:016031

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

CRM-M-1289 of 2024

Date of Decision:06.02.2024

Sandeep

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Munish Mittal, Advocate and Mr. Ankit Kamboj,
Advocate for the petitioner.

Mr. Sumit Jain, Addl. AG, Punjab.

DEEPAK GUPTA, J. (Oral)

Status report by way of affidavit of Shri Manoj Kumar, HPS, DSP City Kurukshetra has been filed on behalf of the respondent along with the custody certificate.

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.415 dated 08.09.2019 registered under Sections 406, 420, 120B IPC (Sections 467, 468 and 471 IPC added later on) at Police Station Sadar Thanesar, District Kurukshetra.

FIR was lodged on the complaint of Savita Rani, as per which she had purchased a plot measuring 213 sq. yards from Kamla Devi for an amount of ₹16,60,000/- vide an agreement to sell dated 09.07.2013. It is alleged that later on another agreement to sell dated 24.04.2014 was executed by Ram Mehar, which is the forged document and the land earlier agreed to be sold to the petitioner, has been now sold by this agreement and that the petitioner is the witness to that agreement to sell dated 24.04.2014.

On a specific query put to learned State Counsel, it is conceded that no sale deed pertaining to the agreement to sell dated 09.07.2013 was ever executed in favour of the complainant – Savita Rani. It is also conceded position that the complainant never sought her remedy to file any suit for specific performance on the basis of agreement to sell dated 09.07.2013.

Petitioner is in custody for the last 01 month and 20 days as per the custody certificate. Case is triable by the Magistrate.

Having regard to all the afore-said facts and circumstances, but without commenting anything on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

February 06, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No