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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50753-2024 (O&M)
Date of decision : 21.10.2024

Ravinder Singh

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Angrej Singh Sarwara, Advocate
for the petitioner.

Mr. J.S. Arora, D.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

CRM-40749-2024

Allowed as prayed for.

CRM-M-50753-2024

1. Present petition has been filed by the petitioner under Section 439 Cr.P.C. praying for grant of regular bail in case FIR No.345 dated 27.10.2022, under Sections 406, 420, 465, 467, 468, 419, 471 and 120-B of IPC, registered at Police Station Derabassi District SAS Nagar Mohali.
2. Adumbrated facts of the case 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 one 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 Verma. 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 (petitioner) S/o Mela Ram. He also stated that co-accused-Vinod Kumar, instigated him to commit the offence. Request was made to take legal action against the culprits. On request made, FIR was registered and the investigation commenced. During investigation, the petitioner was arrested on 01.10.2022, however, he approached the Court of Learned Additional Sessions Judge, SAS Nagar Mohali praying for grant of bail, however after hearing both the sides, the same was declined by the Ld. Additional Sessions Judge, SAS Nagar vide order dated 24.01.2024. Aggrieved by the same, the petitioner is before this Court by the present petition praying for grant of bail.

3. Learned counsel for the petitioner has submitted that petitioner is behind bars since 01.10.2022. He submits that the co-accused, namely, Vinod Kumar has already been enlarged on bail vide order dated 03.08.2023 passed in CRM-M-1224-2023 titled as '***Vinod Kumar Vs. State of Punjab and another***', who was the attesting witness. He submits that the allegation is regarding impersonation of owner of the plot, namely, Randeep Singh. It is submitted that out of 16 prosecution witnesses, 03 prosecution witnesses are examined. He submits that the petitioner has no criminal antecedents. He submits that in the overall facts and circumstances of the present case, the petitioner deserves to be granted regular bail.

4. Per contra, learned State counsel, on the other hand, has opposed the submissions made by counsel for the petitioner. He has



submitted that the petitioner impersonated himself as the real owner Randeep Singh and sold the said plot to one Jai Bhagwan. He has submitted the co-accused, namely, Vinod Kumar has already been enlarged on bail vide order dated 03.08.2023. He, on instructions, he has submitted that the petitioner is not involved in any other case.

5. Heard. On hearing counsel for the parties and perusing the record, it is apparent that the petitioner is behind bars since 01.10.2022. As per the allegation in the FIR, the petitioner impersonated himself as the real owner Randeep Singh. Other co-accused of the petitioner, namely, Vinod Kumar, has already been granted bail by this Court.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail on the basis of parity. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

21.10.2024
ps-I

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