

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-63871-2023  
DECIDED ON: 15.01.2024

RAM KHILADI

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Gaurav Gupta, Advocate  
for the petitioner.

Mr. Gurbir Singh Dhillon, AAG Haryana.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 439 Cr.P.C., seeking regular bail to the petitioner in FIR No.285, dated 06.06.2022, under Sections 420, 467, 468, 471 of IPC, 1860 (Section 120-B of IPC added later on), registered at Police Station City Ballabgarh, District Faridabad (Annexure P-1).
2. Learned counsel for the petitioner contends that the instant FIR is a result of an agreement between the parties for a sale of house against a total consideration of Rs.15 lacs, therefore, submits that its a case of civil dispute between the parties and an arm twisting method is being adopted by giving it a colour of Criminal Act.
3. Learned State counsel has filed the custody certificate of the petitioner, which is taken on record. According to the custody certificate, the petitioner is behind the bars for the last 7 months and 5 days. He opposes the prayer for grant of regular bail on the ground that the petitioner is involved in two other cases.

4. On a query put by this Court, learned State counsel submits that out of total 18 prosecution witnesses, none has been examined so far.
5. Since the dispute prima facie seems to be of civil nature and the trial will certainly take long time, no useful purpose would be served by keeping the petitioner behind the bars, which would amount to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India.
6. As far as the contention of learned State counsel with regard to pendency of other cases is concerned, reliance can be placed upon the order of this Court rendered in CRM-M-25914-2022 titled as “**Baljinder Singh alias Rock vs. State of Punjab**” decided on 02.03.2023, wherein, this Court observed that pendency of other FIRs involving the accused-petitioner cannot be a predicament to consider the case for anticipatory bail or regular bail, as the evidence of the material involved in those FIRs can be treated in those cases alone and are not material in instant FIR against the accused-petitioner to hold him guilty.
7. In view of the aforesaid discussions made hereinabove, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.
8. The present petition is hereby allowed.
9. However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

(SANDEEP MOUDGIL)  
JUDGE

15.01.2024

*Meenu*

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| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |