

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

(1) **CRM-M-2016-2023 (O&M)**

Sukhjit Singh ...Petitioner

Versus

State of Punjab ...Respondent

(2) **CRM-M-3003-2023 (O&M)**

Sukhdev Singh ...Petitioner

Versus

State of Punjab ...Respondent

Date of Decision:- 24.1.2023

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Akhilesh Vyas, Advocate for the petitioner
in CRM-M-2016-2023.

Mr. Mukesh Kumar Bhatnagar, Advocate for the petitioner
in CRM-M-3003-2023. .

Mr. Siddharth Attri, AAG, Punjab.

GURVINDER SINGH GILL, J.

1. This order shall dispose off the above mentioned two petitions filed on behalf of Sukhjit Singh and Sukhdev Singh seeking grant of regular bail in a case registered against them vide FIR No. 20 dated 19.10.2022 under Sections 420, 465, 466, 468, 471/120-B IPC and Section 7 of the Prevention of Corruption Act, 1988 at Police Station Vigilance Bureau, Range Amritsar District Amritsar (Punjab).

2. The allegations, in nutshell, are that land comprised in *Khasra Murabba* No. 42 *min*, Village Darya Mansoor, Tehsil Ajnala, District Amritsar falls under the course of Ravi river and is owned by Punjab Government's Reclamation and Rehabilitation Department. River Ravi keeps on changing its course and sometimes the river flows over the said land and sometimes changes its course. Out of the total of 207 kanals of said land, land measuring 160 kanals is shown to be in possession of Brijnev Singh and Harsher Singh ever since before the year 1988. However, as a matter of fact, 80 kanals of the said land has been proved to be in possession of complainant - Sukha Singh since the last 3-4 years who had installed his tubewell, tap for irrigation and has been cultivating the said land. However, Brijnev Singh had been claiming that he had sold the said land to Sukhdeep Singh in the year 2009 but till date Brijnev Singh or Harsher Singh could not furnish any proof. Bachittar Singh father of Brijnev Singh and Harsher Singh had died on 24.3.2016. As per report No. 176 dated 28.1.2020 issued by Tehsildar Ajnala to S.D.M. Ajnala, Amritsar, also it is Sukha Singh, who is stated to be in cultivating possession. About 47 kanals of land out of the total land measuring about 200 kanals comprised in *khasra Murabba* No. 42 *min*, is shown in possession of Sukhdev Singh since the last 18-19 years.
3. Brijnev Singh, Harsher Singh, Sukhjit Singh and his two sons Prabhdeep Singh and Ravdeep Singh in connivance with three Patwaris namely Dalbir Singh, Ranjit Singh and Lakhbir Singh, who all had remained posted within the area of Patwar Circle Arajia Daria, prepared a fake *Girdawari* rectification while referring to a fake case No. 143 dated 25.11.2015, got recorded a *roznamcha* report No. 139 dated 13.1.2015 in respect of land measuring 80

kanals from 2015 onwards, so as to show Brijnev Singh and Ramandeep Kaur wife of Harsher Singh to be in possession in the revenue record. It is further alleged that another piece of land measuring 80 kanals was shown to be in *khasra Girdawari* in the name of Prabhdeep Singh, Ravdeep Singh sons of Sukhjit Singh during the period 2010 to 2015.

4. It is further alleged that the accused in connivance with Patwari Ranjit Singh and Patwari Lakhbir Singh got recorded report No. 361 dated 10.8.2016 in the revenue record/*Girdawari* pertaining to the aforesaid 160 kanals on the basis of another fake *Girdawari* rectification No. 28 dated 29.9.2015 and the names of Brijnev Singh, Ramandeep Kaur, Prabhdeep Singh and Ravdeep Singh were shown in the *Girdawari* register for the year 2010-2015 and with respect to *Haadi* 2016 and also got the same recorded in *jamabandi* for the year 2014-2015 in the column of cultivator/possession whereas as a matter of fact it was Sukha Singh, who was in possession of 80 kanals of land and who had been cultivating the same. It is further alleged that similarly during the tenure of Patwari Dalbir Singh, entry regarding *Girdawari* rectification was entered vide report No. 54 dated 21.10.2013 on the basis of a fake *Girdawari* rectification case No. 136 dated 18.3.2013 and enteries were recorded in respect of the same pieces of land in favour of Rimplejit Kaur wife of Brijnev Singh and Harsher Singh on the basis of fake case reference. Similarly, the *modus operadi* was adopted for the purpose of incorporating the name of Daljit Kaur daughter of Kulwinder Singh on the basis of fake report No. 49 dated 17.10.2013 by Patwari Lakhbir Singh.
5. It is further alleged that Patwari Lakhbir Singh and Patwari Ranjit Singh also adopted similar *modus operandi* so as to enter the name of Daljit Kaur

daughter of Kulwinder Singh in the *Girdawari* register for the year 2010-2015 and in the name of her father-in-law Sukhdev Singh. It is, thus, alleged that the three Patwaris namely Dalbir Singh, Lakhbir Singh and Ranjit Singh had forged the revenue record and on the basis of fake reports and orders, incorporated the names of Brijnev Singh, Harsher Singh, Ramandeep Kaur, Rimplejit Kaur, Prabhdeep Singh, Ravdeep Singh, Sukhjot Singh, Daljit Kaur and Sukhdev Singh for the purpose of recording *khasra Girdawaris* in their names.

6. The learned counsel for the petitioners have submitted that the petitioners have falsely been implicated in the present case and that even as per the FIR it is the Patwaris who are alleged to have forged the revenue records.
7. Opposing the petitions, the learned State counsel has submitted that the petitioners and other private persons had connived with three Patwaris and that the three Patwaris namely Dalbir Singh, Lakhbir Singh and Ranjit Singh had forged the revenue record on the basis of fake reports and orders so as to extend undue benefit to the petitioners and to others by way of incorporating *khasra Girdawaris* in their names. The learned State counsel has, however, informed that the petitioners, as on date, have been behind bars since the last about 3½ months and that challan already stands presented.
8. This Court has considered the rival submissions.
9. Without commenting anything as regards the merits of the case but while bearing in mind the fact that the petitioners have been behind bars since the last about 3½ months and that challan already stands presented, further detention of the petitioners will not serve any useful purpose as conclusion of trial is likely to consume time.

10. The petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
11. A photocopy of this order be placed on the file of connected case.

24.1.2023
kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No