



CRM-M-25187 of 2024

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25187 of 2024(O&M)
Date of Decision: 29.05.2024

Rajesh Bansal & Ors.
...Petitioners
Versus
State of Punjab
...Respondent

CORAM :HON’BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. R.S. Cheema, Sr. Advocate with
Mr. K.S. Nalwa, Advocate
Mr. A.S. Cheema, Advocate
Mr. Lalit Sharma, Advocate
Mr. Rana Gurtej Singh, Advocate and
Ms. Ashima Attri, Advocate
For the petitioner.

Mr. Manpreet Singh Longia, Addl. AG Punjab and
Mr. Kuljit Singh, DAG Punjab.

Mr. Sunil Chadha, Sr. Advocate with
Mr. Akshay Chadha, Advocate
Mr. Tara Dutt, Advocate
Ms. Taanvi Dhull, Advocate and
Mr. Raghav Chadha, Advocate
For the complainant Alamjit Singh Mann.
Mr. Ravinder Hooda, Advocate
For the complainant Rahul Gupta & Pankaj Tayal.

KARAMJIT SINGH, J.

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For the reasons mentioned in the application, the same is
allowed and accompanied documents (Annexures P-17 to P-22) are taken on
record, subject to all just exceptions.

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For the reasons mentioned in the application, the same is allowed and accompanied documents i.e. settlement deed dated 27.05.2024 (Annexure P-23) and affidavit of complainant Alamjit Singh Mann (Annexure P-24) are taken on record, subject to all just exceptions.

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1. The present petition has been filed by the petitioners under Section 439 Cr.P.C. seeking regular bail in case having FIR No.151 dated 30.04.2024, registered under Sections 420, 406, 465, 467, 468, 471 and 120-B IPC at Police Station Zirakpur, District SAS Nagar.

2. The allegations in nutshell are that present FIR was recorded on the basis of statement of complainant Alamjit Singh Mann who purchased two plots of one acre each from Singhpura Bhuda Joint Farming Society. One plot bearing No.14 was transferred in the name of the complainant but subsequently the said plot was allotted to Subhash Nagpal and Iqbal Singh by preparing false documents and half share of the plot of complainant was allotted to Gurpreet Kaur. That thereafter civil litigation started wherein Civil Court at Dera Bassi directed the parties to maintain *status quo* regarding the half share in joint *khewat*. Despite stay order present petitioners and Veena purchased 4000 sq. yards out of the joint *khewat* and thereafter procured 'Change of Land Use' (CLU) Certificate by producing fake documents. Resultantly, FIR in the present case was registered against the petitioners and they were arrested.



3. The Senior counsel for the petitioners submits that petitioners are falsely implicated in the present case and are presently lodged in judicial custody and all the offences are triable by the Court of Judicial Magistrate but it will take time for the trial to conclude. It is further submitted that now matter has been compromised between the parties vide settlement deed dated 27.05.2024 (Annexure P-23). So, prayer is made that no purpose is going to be served by detaining the petitioners in custody for any longer period.

4. The State counsel, on instructions from SI Kuldeep Singh, submits that during investigation of the case the petitioners were arrested and are presently lodged in judicial custody.

5. During the course of hearing, joint affidavit (Annexure C-1) of complainant Mr. Rahul Gupta and Mr. Pankaj Tayal has been filed. The same is taken on record.

6. Mr. Sunil Chadha, Senior counsel appearing on behalf of complainant Alamjit Singh Mann and Mr. Ravinder Hooda, Advocate appearing on behalf of complainants Rahul Gupta and Pankaj Tayal have admitted the factum of compromise and further admitted execution of settlement deed (Annexure P-23) and affidavit Annexure P-24, and are having no objection if the present petition is allowed and petitioners are granted bail.

7. I have considered the submissions made by counsel for the parties.



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8. Admittedly, all the offences are triable by the Court of Judicial Magistrate Ist Class and all the petitioners are in custody and are not required by the police for any further investigation. Moreover, it appears that now matter has been compromised between the parties and it will take for presentation of challan. In the given circumstances, no purpose is going to be served by prolonging the judicial custody of the petitioners.

9. In light of above, without commenting on the merits of the case, the present petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

29.05.2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No