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

CRM-M-50045-2024

Date of Decision:- 16.12.2024

BHUPINDER SINGH

....Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr.Kamaldeep Kumar, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Deepak Basatia, Advocate for the complainant.

AMARJOT BHATTI, J. (Oral)

1. Petitioner Bhupinder Singh has filed instant petition under Section 483 of BNSS, 2023 for grant of regular bail in FIR No.400 dated 21.09.2023 (Annexure P-1) under Sections 420, 406, 447, 467, 468, 120-B IPC registered at Police Station Gandhi Nagar, Yamunanagar, District Yamunanagar

2. As per facts of the case, written complaint is filed by complainant Ravikant against Kamiya Sharma and others alleging that Ram Bachan Singh father of complainant was owner of plot No.79 measuring 200 sq. yards situated in village Kansapur, Geeta Colony Yamuna Nagar by virtue of sale deed dated 04.07.1972. Mutation no 2814 was sanctioned in favour of his father. His father expired on 11.11.2013. Present petitioner along with others are the legal heirs who have inherited the property left behind by his father. Land underneath Geeta Colony was earlier agricultural



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different persons. Streets and parks are still in the name of original owners. Taking undue advantage thereof, accused No.1 and 2 in collusion with accused No.3 to 5 executed sale deed dated 14.06.2023 with an intention to grab the property and thereafter with the help of Abhishek Moudgil who is a Municipal Councilor got issued ID of said property in favour of purchaser i.e. accused No.1 and 2 who are wives of accused No.6 and 7. Ultimately, matter was reported to the police and present FIR was registered.

3. Learned counsel for petitioner argued that he is falsely implicated in this case. He was owner of the property and he sold the same to Kamiya Sharma and Neeru. He has already joined the investigation and is in custody since 21.07.2024. He will abide by the terms of bail order. Therefore, his regular bail may be allowed.

4. Bail application is opposed by learned counsel representing State. Detailed status report has been filed. It is pointed out that FIR was lodged on the written complaint of Ravi Kant son of Ram Bachan. Ram Bachan had purchased 200 square yards of land vide sale deed dated 04.07.1972 and mutation No.2814 was sanctioned in his favour. Said Ram Bachan expired on 11.11.2013. Land underneath plots and other land was agricultural land and residential plots were carved out leaving the roads and the parks for use of people who had purchased said plots. Present petitioner is main accused who sold plot in a wrongful manner by preparing fake IDs and sold the same to Neeru and Kamiya Sharma vide sale deed dated 14.06.2023. Municipal council record was also got changed with the help of Abhishek Moudgil who is working in the Municipal Corporation, Yamunanagar. It is pointed out that challan in this case was presented on

14.10.2024 and the next date fixed in this case is 04.12.2024 for framing of



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charges. With these allegations, regular bail application filed by Bhupinder Singh is opposed.

3. I have considered the arguments and have gone through the record. In the case in hand, petitioner has already joined the investigation and he is behind the bars since 21.07.2024. Disputed sale deed dated 14.06.2023 executed by present petitioner in favour of Kamiya Sharma and Neeru is Annexure R-1. As per the revenue record annexed with the status report, land is joint. It is not disputed that several plots were carved out and sold to different persons. Complainant has disputed the aforesaid sale deed executed by Bhupinder Singh in favour of Kamiya Sharma and Neeru. During investigation, Investigating Officer has already collected revenue record and other sale deeds. Entire case is based on documents. Since petitioner has already joined the investigation and is behind the bars, no purpose would be served by keeping him behind the bars for indefinite time period. Challan is already presented and the trial of this case may take long time. Therefore, without going on merits of case, regular bail application filed by petitioner is allowed and he is ordered to be released on bail to the satisfaction of trial Court/Duty Judge, concerned.

16.12.2024

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Whether speaking/reasoned:

Whether reportable:

Yes/No.

Yes/No

**(AMARJOT BHATTI)
JUDGE**