



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

211

CRM-M-91-2025

Date of decision: 06.05.2025

Sukhwinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Chandan Singh Rana, Advocate for the petitioner.

Mr. H.S. Deol, Sr. DAG, Punjab.

Mr. Randeep Singh, Advocate and
Ms. Shubreet Kaur, Advocate for the complainant.

MANJARI NEHRU KAUL, J.

1. The petitioner in the instant (second) petition is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.0130 dated 08.05.2021 under Sections 406/420/120-B (Section 201 added lateron) of the Indian Penal Code, 1860, registered at Police Station Haibowal, District Police Commissionerate Ludhiana.

2. The primary contention advanced by learned counsel for the petitioner is that the allegations are false, malicious, and a result of ulterior motives. It is submitted that the FIR was registered after an unexplained and undue delay, thereby casting doubt on the veracity of the allegations. Learned counsel further submits that upon a representation made to the Commissioner of Police, an SIT was constituted, which, after inquiry, concluded that the agreement to sell



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land relied upon by the complainant was not genuine and that payments allegedly made did not align with the terms of the said agreement. It is further argued that the agreement in question was subsequently cancelled and the money of the complainant was refunded. The complainant, according to the learned counsel for the petitioner was merely a witness to a separate sale transaction in favour of one Pran Nath, and has been wrongly projecting himself as an aggrieved party. Learned counsel for the petitioner also asserts that the SIT recommended cancellation of the FIR (Annexure P-1), owing to the absence of cogent evidence and that co-accused have already been granted bail on the ground that the dispute appeared to be civil in nature.

3. On being put to notice, learned State counsel has put in appearance and vehemently opposed the prayer and submissions made by the counsel opposite and filed affidavit of Jatinderpal Singh, PPS, Assistant Commissioner of Police (West), Ludhiana, in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

4. It has been submitted by learned State counsel that the case involves serious and specific allegations of forgery, fraud, and criminal breach of trust. Learned State counsel has further submitted that the affidavit contains in detail the gravity of the allegations against the petitioner; the signatures of the complainant were not genuinely appended to the agreement to sell (Annexure P-2), but were instead illicitly scanned by the petitioner and his co-accused from a different



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document and subsequently printed onto the said agreement using a computer. The original sale agreement could not be produced by the petitioner during the inquiry. Learned State counsel has further submitted that it was revealed in the investigation conducted by AIG, Crime Zone, Jalandhar, under the orders of the Director, Bureau of Investigation, Punjab, that the signatures of the complainant on Annexure P-2 were fabricated using technological means and not by the complainant himself.

5. It has been further submitted by the learned State counsel that moreover, there are direct and specific allegations that the petitioner had executed a sale agreement dated 01.07.2017 in favour of the complainant concerning land measuring 14 kanals, 5 marlas and had received an advance payment of Rs.2,67,50,000/- as earnest money. However, in a blatant breach of the agreement with dishonest intention, the petitioner later executed a separate sale deed in respect of 8 kanals of the same land in favour of his co-accused, thereby causing wrongful loss to the complainant and enriching himself and his associates. Not only are allegations of forgery of a serious nature involving sophisticated use of technology, but it has been asserted that the amount involved is also substantial, indicating a well-orchestrated fraudulent transaction.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. The allegations against the petitioner are not only specific and *prima facie* well corroborated but also grave in nature. The alleged

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act of scanning the signatures of the complainant from a different document and affixing them to the agreement through computer-generated means constitutes a serious offence of forgery involving deceitful misuse of technology. Such conduct strikes at the very root of public trust and integrity in contractual and legal documentation.

8. Furthermore, the alleged receipt by the petitioner of a hefty amount exceeding Rs.2.67 crores under a purported agreement, followed by the alienation of the agreed land to a third party, *prima facie* reflects a calculated breach of trust and criminal intent. The recovery of the defrauded amount is pending and the custodial interrogation of the petitioner is necessary not only for effective investigation but also for unearthing the broader conspiracy and identifying the proceeds of crime.

9. The nature of the offence, the mode and manner in which it allegedly committed, and the misuse of digital methods to forge legal documents, all underscore the seriousness of the case. Therefore, in the light of the *prima facie* allegations of fraud and manipulation against the petitioner, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to him. The instant petition stands dismissed accordingly.

10. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

06.05.2025

Vinay

(MANJARI NEHRU KAUL)**JUDGE**

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