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

**CRM-M No.8403 of 2025
Date of decision : 23.09.2025**

Manish**.....Petitioner****versus****State of Haryana****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ***********

Present :- Mr. U. K. Agnihotri, Advocate and
Ms. Anshul Agnihotri, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Akashdeep Singh, Advocate
for the complainant.

**********RAJESH BHARDWAJ, J. (Oral)**

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.398, dated 09.11.2023, under Sections 406, 420, 506, 467, 468, 471 of IPC, registered at Police Station Arya Nagar, District Rohtak.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Shyam Sundar, s/o Sitaram. It was alleged that the petitioner, namely, Manish along with his mother, namely, Kanta entered into an agreement to purchase the land measuring 22 Kanals 10 marlas from the complainant for a consideration amount of Rs.79,37,000/-. It was alleged that both, the petitioner and his



mother got separate sale deeds in their names from the complainant and when the complainant asked for the cheque after the registry, the petitioner and his mother said that the cheque was post dated of 09 months and hence, they refused to pay the money saying that the same would be transferred in exchange of the second cheque mentioned in the sale deed. It was alleged that the petitioner and his mother did not transfer the money regarding the sale deed dated 11.01.2022 till 10.10.2023 and the complainant tried time and again for the consideration amount but the same was put off on one pretext or the other. It was alleged that both, the petitioner and his mother have cheated the complainant by grabbing his ancestral property without paying the complete consideration amount. It was further alleged that the amount transferred in the account of the complainant was Rs.9,01,000/-. Thus the request was made to take legal action against the accused. On registration of the FIR, the investigation commenced. On completion of the investigation, the mother of the petitioner, namely, Kanta was found to be innocent and thus, the challan was presented only *qua* the petitioner. The petitioner approached the Court of learned Additional District & Sessions Judge, Rohtak praying for the grant of bail, however after hearing both the sides and finding no merit in the same, the learned Additional District & Sessions Judge, Rohtak declined the bail application filed by the petitioner vide order dated 06.02.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He has



submitted that it is apparent from the allegations made that the offence alleged is purely of a civil nature. He has submitted that the petitioner duly paid the consideration amount to the complainant. He has submitted that the total consideration amount of Rs.79,37,000/- was paid to the complainant in cash, hence the cheques given to the complainant were returned to the petitioner. He has vehemently contended that the sale deed was executed on 10.01.2022 whereas the present FIR has been registered after about 02 years, i.e. 09.11.2023 only for the reason that the land prices have escalated and hence, out of greed, the petitioner has been roped in the present case. To buttress his arguments, learned counsel for the petitioner has submitted that on paying the amount in cash to the complainant, he had duly issued the receipts and affidavits as well. He has submitted that the petitioner is behind bars since 19.07.2024, however there is no progress in the trial. He has submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. Learned counsel for the complainant has vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner is a habitual offender. He has submitted that the complainant has been duped for the consideration amount of the land. He has submitted that the sale deed was registered on the issuance of the cheques, however thereafter the cheques issued were taken back by the petitioner and he was not even paid the consideration amount. He has submitted that the affidavits relied upon by the petitioner have been found to be forged and fabricated. He has submitted that the petitioner has time and again threatened the complainant not to initiate any legal action



against him. He has thus submitted that no case for the grant of regular bail to the petitioner is made out and the present petition deserves to be dismissed.

5. *Per contra*, learned counsel for the State however has vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that on conducting the inquiry, the affidavits have been found to be forged. He has submitted that the petitioner was arrested on 19.07.2024. He has submitted that the investigation is complete and the challan is presented, however the charges are yet to be framed. He has produced custody certificate of the petitioner today in the Court and the same is taken on record.

6. Heard.

7. After hearing learned counsel for the parties and perusing the record, it is deciphered that the dispute between the parties is account of the sale of the land. The sale deed, which has been shown by learned counsel for the petitioner, was registered on 10.01.2022 whereas the present FIR has been registered on 09.11.2023. Custody certificate produced would show that the petitioner has completed incarceration of 01 year, 02 months and 01 day as on 20.09.2025. It further reflects that the petitioner is involved in 09 other cases, however in 07 of the cases, he is on bail; in one case, he has been acquitted and in one case, he has undergone the sentence. Investigation is complete and the challan is presented, however the charges are yet to be framed.

8. The veracity of the allegations would be assessed only after

the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

9. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides, the nature of the case and the allegations made, the Court is of the opinion that learned counsel for the petitioner succeed in making out a case for the grant of bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

10. The State is directed to take into consideration the allegations made by learned counsel for the complainant regarding the threat extended by the petitioner. In case the allegations are found to be authenticated, the State as well as the complainant, would be at liberty to adopt their legal recourse for the cancellation of the bail granted to the petitioner.

23.09.2025			(RAJESH BHARDWAJ)
<i>rittu</i>	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No
			JUDGE