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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.11708 of 2024
Date of Decision: 23.07.2025
Reserved on: 14.07.2025

Rajinder Singh @ Raja and another ... Petitioners

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Arnav Ghai, Advocate,
for the petitioners.

Mrs. Sheenu Sura, DAG, Haryana,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioners seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
24	31.01.2024	Thanesar City, District Kurukshetra	420 and 406 of IPC (467, 468, 471 and 120-B of IPC added later on)

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of a complaint lodged by the complainant Sohan Lal, State Chief General Secretary (Youth) of a political party Indian National Lok Dal (INLD) alleging therein that his party was involved in the service of the public persons within the parameters of law. Previously, a representation sent by

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the Embassy of United States of America, had been received as per which some workers of his party, had been harassed and tortured by the State Government as well as Government of India for participation in agitations and they were seeking asylum in USA and that recommendation was made by their party with the Embassy in this regard. The Chief Secretary of their party denied issuing any such recommendation letter. On conducting inquiry, it was revealed that a racket was being run within the precincts of District Court, Kurukshetra and the members of that racket who were having legal knowledge were inducing innocent persons to send them to foreign countries after getting asylum as members of INLD. Forged, fabricated and false certificates were being prepared and issued by those persons in favour of persons who were involved in agitation of farmers. These letters were bearing forged and fabricated stamps and signatures of office bearers including Chief Secretary of INLD. It was also revealed that those persons were charging huge amount of money in lieu of issuing such false certificates and one of them was Raja Habari who was occupant of a Chamber in District Courts, Kurukshetra.

3. After registration of FIR, investigation proceedings were initiated. The police party reached in Chamber No.30 of Court Complex Kurukshetra. The petitioners were found present there. On conducting search, some incriminating material pertaining to the allegations was found there, which was taken into custody. The petitioners were formally arrested. Their laptop was taken into custody. On interrogation, they suffered disclosure statements admitting their involvement in the crime and about

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preparing false and fabricated letter heads of the party of the complainant and other political parties and giving the same to those persons who had applied for political asylum on false ground. Investigation now stands completed and challan has been presented against the petitioners.

4. It is argued by learned counsel for the petitioners that they have been falsely implicated in this case. They never suffered any disclosure statement. False recoveries have been planted. The ingredients for commission of subject offences have not been made out against them. They have clean antecedents. It is, therefore, argued that they deserve to be granted concession of regular bail.

5. Status report has been filed. Learned Deputy Advocate General, Haryana has argued that keeping in view the gravity of the allegations, the petitioners do not deserve to be granted concession of regular bail.

6. This Court has considered the rival submissions.

7. The petitioners are alleged to have hatched a conspiracy and in pursuance thereof, they are alleged to have prepared false and fabricated letter heads in the names of political party of the complainant and the said letter heads etc. are alleged to have been given to the persons who sought political asylum on the basis thereof. These forged letters are alleged to be used as letters of recommendation by the concerned political party. The subject offences are triable by Magistrate. The petitioners do not have any criminal antecedents. It is well settled proposition of law that bail is the rule and jail is an exception. It is also a debatable question as to whether the

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ingredients for commission of offences of cheating and criminal breach of trust punishable under Sections 420 and 406 of IPC which are antithesis to each other, have been made out at all or not? It is also a debatable question as to whom wrongful loss had been caused or who was defrauded/cheated in this case due to the alleged acts of the petitioners. In view of the above discussed facts, this Court is of the opinion that the petitioners deserve to be extended benefit of regular bail. They have already been released on interim bail vide order dated 10.04.2024 passed by Coordinate Bench of this Court. As such, the petition is allowed and the order dated 10.04.2024 granting interim bail to the petitioners is hereby confirmed.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

23.07.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No