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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.12942 of 2025
Date of Decision: 29.04.2025

Vikas Bishnoi ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Gautam Dutt, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

Mr. Tanvir Singh Attariwala, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
0249	05.09.2023	Sector-14 Gurugram, District Gurugram	120-B, 420, 419, 465, 467, 468 and 471 of IPC

2. As per the allegations, in pursuance of an order passed by the jurisdictional Magistrate under Section 156(3) of the Code of Criminal Procedure, on a complaint as filed by the complainant Dharamvir, the

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aforementioned FIR was registered. It has been alleged by the complainant that his father Sh. Sunil Kumar, was allottee of a plot situated at Sector 23-23A in Gurugram. Sh. Sunil Kumar had died on 15.07.2010. The petitioner by hatching a conspiracy with his father Krishan Lal and co-accused Kirta Ram, portrayed accused Kirta Ram as Sunil Kumar and by doing so, got prepared and executed a deed of conveyance of abovementioned property in favour of Rampal Singh Tomar and Nisha Singh. The said sale conveyance deed was attested by the co-accused Krishan Lal Bishnoi and Sudesh Kumar as attesting witnesses. Even in the affidavits, indemnity bonds and applications moved before the Estate Officer, HUDA, the petitioner and the co-accused Sudesh Kumar identified the impersonator of Sunil Kumar i.e. Kirta Ram as such while knowing fully well that actual Sunil Kumar had died long back. While alleging that the officials of Revenue Department including Tehsildar Estate Officer, HUDA and several other persons were part of the conspiracy so hatched, the complainant prayed for taking action in the matter.

3. After registration of FIR, investigation proceedings were initiated and it was revealed that the photographs of accused Kirta Ram were affixed on the conveyance deed by portraying him as Sunil Kumar and false documents of identity proof were prepared and presented at the time of registration of conveyance deed. The petitioner was arrested on 04.04.2024. He was interrogated and suffered disclosure statement admitting his involvement in the crime. It was also revealed that in the bank account

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opened in the name of deceased Sunil Kumar by accused Kirta Ram the mobile phone belonging to the petitioner was registered and the amount of sale consideration received by sale of the plot in question was deposited in the said account operated by the petitioner and he had further transferred the same in the account of his company and family members. The co-accused were also arrested. The investigation stands concluded.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since long. The subject offences are triable by Magistrate. He has been extended benefit of bail in other cases registered against him. His further incarceration would not serve any useful purpose. The trial would take considerable time to conclude. It is, therefore, urged that he deserves to be released on bail.

5. Status report by the respondent No.1-State and reply by complainant has already been filed. Learned Assistant Advocate General, Haryana assisted by learned counsel for the complainant has argued that there are serious allegations against the petitioner who by hatching a conspiracy with the co-accused had got prepared a conveyance deed qua the property owned by father of the complainant who had died in the year 2010 had got impersonated co-accused Kirta Ram and by portraying him as Sunil Kumar, got executed and registered a conveyance deed of the said property which had been sold to Rampal Singh Tomar and Nisha Singh. The sale consideration amount which was a huge amount of money had been transferred in the bank account was also opened in the name of the deceased

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father of the complainant by impersonating him by accused Kirta Ram as such and the said account was also infact been operated upon by the petitioner. Wrongful loss had been caused to the complainant and offence of forgery as well as use of forged documents have been committed by the petitioner. It is argued that the petitioner is a habitual offender since other cases of similar nature are pending against him. There are chances of his absconding or committing similar offences if extended benefit of bail. With these broad submissions, it is urged that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner by hatching a conspiracy with the co-accused is alleged to have got registered conveyance deed qua the property owned by the father of the complainant and sold the same to some other persons by impersonating the deceased father of the complainant and by preparing false and fake documents. He apparently appears to be the mastermind of the crime as well as the main beneficiary of the transaction. The allegations against him are quite serious in nature. He has criminal antecedents and some other cases showing commission of similar offences have been registered against him. There is nothing on record to infer that there would be any undue delay in conclusion of the trial. Taking into consideration the nature of the allegations as levelled against the petitioner, the part attributed to him, the quantum of sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any

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comment on the merits of the case, this Court is of the considered opinion that the petitioner does not deserve to be extended benefit of bail at this stage. Accordingly, the petition is dismissed.

29.04.2025
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(MANISHA BATRA)
JUDGE

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