

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-12834-2025
Reserved on: 01.08.2025
Pronounced on: 08.08.2025

Raj Bala Ahlawat

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Aman Pal, Advocate and
Mr. Rishabh Chaudhary, Advocate for the petitioner.

Mr. Atul Gaur, AAG, Haryana.

Mr. Sanjiv Sheoran, Advocate,
for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
317	27.09.2023	Sector 6, Bahadurgarh, Distt. Jhajjar	120-B, 34, 406, 420 and 506 IPC (Sections 506, 465 and 467 IPC added later on)

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
2. Vide order dated 07.04.2025, the petitioner was granted interim bail by the co-ordinate Bench of this Court on the medical ground, which continues to date.
3. As per para 16 of the bail application the petitioner has clean antecedents.
4. The facts and allegations are being taken from the translated copy of FIR which is annexed with the bail petition as Annexure P-1, which reads as follows:

“To the Superintendent of police Jhajjar. Subject: Complaint regarding to lodge the FIR. Sir, it is submitted that I Dinesh Kumar son of Shri Ajit Singh, am resident of Shastri Nagar am authorized Bahadurgarh, District Jhajjar representative of Umang Realtech, Pvt. Ltd. Rajbala wife of Shamsher Ahlawat resident of H.No.136, Sector 17, Village Sukhrali, Distt. Gurugram and Rajbala wife of Prem Singh R/o H.No.768, Village Kildikhas District Rohtak and Shamsher Ahlawat etc. have made a letter of intent on dated 06.08.2014 and Development agreement on September 2014 with our company regarding their land situated in area of village Kasar and in jurisdiction of Sector 6, Bahadurgarh and have taken Rs.25,00,00,000/- (Two and half Crores) through RTGS. But since beginning, there was doubt in their intention. Due to this reason, all these

persons have hatched conspiracy for cheating and to extract money. Due to this reason aforesaid persons have made this agreement because as per agreement to sell, the aforesaid persons have not started any further process as per DTCP till now due to bad intent and have given assurance only. Neither they have got attached accounts of land mentioned in the aforesaid agreement nor they have cut down the trees situated in the aforesaid land. The old building constructed in the aforesaid land was also not demolished nor they have relocated the electricity pole situated on the land mentioned in the agreement and have had initiated any process in any department and knowingly have not complied the terms and conditions mentioned in the aforesaid agreement because with intent to cheat and extort money in connivance with each other. In this regard, we have also arrange a meeting with both Rajbala and Shamsheer Ahlawat then they have said that price of land has been risen in Bahadurgarh and cancel this agreement and give them their increased share then they will proceed further and forget about aforesaid agreement. Nothing would be happened with about aforesaid agreement. Nothing would be happened with them as they have received two and half crores. They will sell their land in high price, we cannot do anything with them. We have also came to know that in conspiracy with intent to cheat, the aforesaid persons have tried to sell this land to another person. All these persons have been given notices time to time. But no condition has been complied and no reply of notice was given and we have been given threat that forget about the land, they having just extort the money from us and they have not to process further and forget about the land if we have taken any action then they will implicate us in false case and threatened to life. So it is requested that this case be transferred in Economic offence wing. RTGS detail are attached with complaint and copy of agreement is also attached. So it is requested to you that FIR be lodged against aforesaid persons under sections 420, 406, 506, 120-B, 34 IPC, dated 24.08.2023. Applicant Umang Realtech Pvt. Ltd. through authorized Dinesh Kumar resident of Shastri Nagar Bahadurgarh District Jhajjar.”

5. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and her family. He further submits that petitioner's medical condition is not well and due to which she was enlarged on interim bail.

6. The petitioner's counsel submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

7. The State's counsel opposes bail and refers to the status report.

REASONING:

8. Allegations are serious against the petitioner but at the same time her health is stated to be deteriorating day by day. No doubt, there is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should

not be a replica of post-conviction sentencing. As per paragraph 14 of the bail petition, the petitioner has been in custody since 14.06.2024. As per the custody certificate dated 28.07.2025, the petitioner's total custody in this FIR is 09 months and 25 days as on the date of release pursuant to order dated 07.04.2025 passed by the Court. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

9. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for regular bail on medical ground as well as on merits.

10. Petitioner was released on interim bail and during the interregnum, there is no allegation against her of tampering with evidence or that she did not attend the trial. Hence, there is no ground to discontinue the interim bail and same is made absolute.

11. **Petition allowed** in terms mentioned above. Interim order dated 07.04.2025 is made absolute. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

08.08.2025

Jyoti-II

Whether speaking/reasoned:	Yes
Whether reportable:	No.