

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

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CRM-M-13439-2025

Date of decision: 15<sup>th</sup> May, 2025

Rajender Singh

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Kunal Dawar, Advocate for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

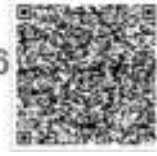
Mr. Sanjeev Gupta, Advocate for the complainant.

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**MANISHA BATRA, J (ORAL):-**

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 138 dated 07.06.2024 registered under Sections 420, 467, 468, 471 and 120-B of IPC at Police Station Chhainsa, Faridabad, District Faridabad, Haryana.

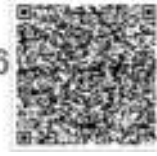
2. Adumbrated facts as emanating from the record are that the aforementioned FIR was registered on the basis of complaint lodged by complainant Karvender Singh @ Karmender alleging therein that his mother Narayani @ Girajo Devi wife of late Nawab Singh was co-owner in possession of 10 kanals and 08 marlas of agricultural land situated within the Revenue Estate of Chaisa, Faridabad. Mutation of this land was entered in the name of his mother on 04.01.1966. She had died on 20.11.1970. After



her death, the petitioner along with other legal representatives of his mother had inherited ownership of this land. They had requested their maternal uncle Nihal and his son Rajender to get the mutation of inheritance transferred and entered in their name and both of them had assured to do so.

3. The complainant further alleged that on asking of Nihal Singh and Rajender, the land in question had been given to them for cultivation on an oral lease in lieu of receipt of a small amount of money as lease money. After the death of Nihal Singh, the accused Rajender, Girish and Digamber, who are sons of the deceased, had been cultivating the said land and used to pay lease money. However, from the last two years, they had stopped doing so.

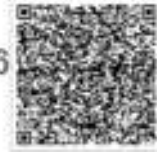
4. The complainant further alleged that he along with his brother Raghuraj Singh had decided to sell some area of land inherited from their mother and had accordingly entered into an agreement to sell the same to one Satyapal. They had also received a sum of Rs. 2,00,000/- by way of earnest money. He alleged that before entering into an agreement, he had contacted the village Patwari for procuring *jamabandi* and then came to know that the land in question was still in the name of his deceased mother. When he asked the accused to get the mutation entered in the names of legal representative of his mother, he came to know that the mutation of inheritance of the same land had been entered in the names of accused Ommi Singh, Pappu, Rakesh Dharampal, Bhimwati, Rajpal, Lakhpat and Ashok as on 27.12.2023. They also disclosed that the above named accused had again executed a relinquishment deed qua the same land in favour of the accused Rajender Singh, Girish and Digambar. It also came to the



knowledge of the complainant that the accused Ommi Singh etc. had represented themselves to be legal representatives of Smt. Narayani. The documents including the death certificate as submitted by the accused were found to be forged and fabricated. By alleging that they had been cheated by the accused persons and in connivance with accused Rajender Singh, offences of forgery and forge documents had been committed, he prayed for taking action in the matter.

5. After registration of FIR, investigation proceedings were initiated. The record which was submitted before the Revenue Authorities, for the purpose of entering mutation of inheritance of Naryani Devi, was obtained and got verified, it was revealed that forged death certificates of Shukan @ Narayni and Rajpal were prepared. Finding the involvement of the petitioner, he was arrested on 18.01.2025. He was interrogated and suffered disclosure statement admitting that in-connivance with the co-accused, he had prepared fake death certificates of Sukan @ Narayani and her son Rajpal and by furnishing affidavits through the co-accused before the *Halka Patwari* had get sanctioned mutation of inheritance of Narayani in his name and then got relinquished the right in the property owned by Narayani Devi in favour of himself and the co-accused. Investigation has since been completed and challan has been presented.

6. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Civil litigation with regard to this property is pending between the parties. No offence of forgery or cheating had been committed by him. Infact, Narayani was married to Shri Ram and two children namely Rajpal and Nakul were born to her. Rajpal and Nakul

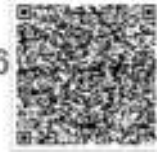


had expired after her death. He was nephew of Narayani. Mutation of inheritance was entered in the names of legal heirs of Narayani, who had subsequently transferred those shares by executing a relinquishment deed in favour of the petitioner and co-accused Girish and Digambar, who were their matrimonial uncles. The complainant had no right in the property in dispute and by simply taking advantage of the fact that his grandmother was also known by the name of Naryani, he wanted to usurp the ancestral land of the petitioner. He is in custody since 18.01.2025. Trial would take considerable time to conclude. His further incarceration would not serve any useful purpose. He does not have any criminal antecedents. Therefore, it is argued that he deserves to be released on bail.

7. Status report has been filed by respondent-State. It is argued by learned Deputy Advocate General, Haryana, assisted by learned counsel for the complainant that there are serious allegations against the petitioner. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. Accordingly, it is stressed that the petition does not deserve to be allowed.

8. Rival contentions raised by learned counsel for the parties have been considered.

9. The petitioner is alleged to have hatched a conspiracy with the co-accused and in pursuance thereof, the property of his sister Narayani Devi was transferred in the names of co-accused by entering a mutation of inheritance of Narayani Devi in their favour. As per the allegations, forged and fabricated death certificates of Naryani and her sons had been placed before the Revenue Authorities. The documents placed on record *prima*



*facie* reveals this fact. The petitioner is further alleged to have got the same property transferred in favour of his brother/cousin brother, i.e. co-accused and in his own favour by getting relinquishment deed executed from the co-accused, who are alleged to have falsely claimed to be legal representatives of Smt. Naryani. Investigation, however, stands concluded. Trial will take time. The subject offences are triable by Magistrate. The petitioner is in custody since 18.01.2025. No useful purpose would be served by keeping him in custody anymore. He does not have criminal antecedents. There is no basis for the contention that he will abscond, if extended benefit of bail. It is well settled proposition of law that bail is the rule and jail is an exception. In view of the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

10. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

**[MANISHA BATRA]**  
**JUDGE**

**15<sup>th</sup> May, 2025**

*Parveen Sharma*

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*  
: *Yes / No*