



CRM-M-13716-2025

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

(1) CRM-M-13716-2025

Harpal Singh

..... Petitioner

Versus

State of Haryana

.....Respondent

(2) CRM-M-13800-2025

Bansi Lal

..... Petitioner

Versus

State of Haryana

.....Respondent

Reserved on : 05.04.2025

Pronounced on: 07.04.2025

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.L.S. Sidhu, Advocate, for the petitioner
in CRM-M-13716-2025.
Mr. Amit Chaudhary, Advocate for the petitioner
in CRM-M-13800-2025.
Mr. Sumit Jain, Addl. AG, Haryana.
Mr. Dhanjaya Singh, Advocate and
Mr.Abhijeet Singh, Advocate,
for the complainant.

Rajesh Bhardwaj, J.

1. This order will dispose of above-mentioned two petitions as both have arisen out of the same FIR.
2. Prayer in the present petitions is for grant of regular bail to the petitioners in a case FIR No.51 dated 26.04.2023, registered under Sections 120-B, 406, 420, 467, 468, 471, 477 and 201 IPC at Police Station Jakhal, District Fatehabad.
3. Succinctly facts of the case are that FIR in the present case was lodged on the statements of complainants, namely, Krishan, Subhash



Chand, Baru Ram, Jai Bhagwan, Anil, Rahul, Shamsher, Baldev Singh, Sukhwinder Singh, Mahender Singh, Harjinder Kaur and Surender Kaur. It was alleged by complainants Rahul and Shamsher that accused Vinod, Anita Rani and Vishal Mehta entered into an agreement to sell dated 04.01.2023 with regard to land measuring 23 Kanals 12 Marlas @ Rs.24,50,000/- per acre in their favour. Similarly complainant Subhash Chand alleged that accused Vinod entered into an agreement to sell his land measuring 23 Kanals 04 Marlas in his favour @ Rs.26,10,000/- per acre vide agreement to sell dated 02.07.2022. Complainant Baru Ram alleged that accused Sunita and Anita Kumari entered into agreement to sell land measuring 22 Kanals 03 Marlas in his favour @ Rs.25,90,000/- per acre and executed an agreement to sell dated 15.06.2022. Complainant Subhash Chand alleged that accused Vinod and Netarpal entered into an agreement to sell their land measuring 27 Kanals 09 Marlas in his favour @ Rs.26,75,000/- per and executed an agreement to sell dated 12.09.2022 in his favour. They alleged that property dealer Netarpal had also executed agreement to sell land situated in village Kudni @ Rs.22,10,000/- per acre. The complainants have, thus, alleged that after entering into agreement the accused in conspiracy with each other have defrauded them by forging various agreements to sell and thus, cheated the complainants for a sum of Rs.3,43,12,187/-. It was, thus, prayed that legal action be taken against the culprits. On the registration of the FIR, the investigation commenced. During investigation, complicity of the petitioners (Bansi Lal and Harpal Singh) was also found by the Investigating Agency and hence, they were arrayed as accused in the present case. Petitioner Bansi Lal was arrested on



12.07.2024, whereas, petitioner Harpal Singh arrested on 11.07.2024. They approached the Court of learned Sessions Judge, Fatehabd, praying for grant of regular bail. However, learned Court after hearing both the sides, finding no merit in the petitions filed by the petitioners, dismissed the bail petition of Harpal Singh vide order dated 25.02.2025 whereas that of petitioner Bansi Lal was dismissed on 21.01.2025. Hence, the petitioners have approached this Court by way of filing the present petitions praying for grant of regular bail.

4. Learned counsel for the petitioners have vehemently contended that the petitioners have been falsely and frivolously implicated in the present case. They have submitted that the petitioners were not named in the FIR, however, they have been implicated in the present case during the investigation.

5. Learned counsel for petitioner- Bansi Lal has submitted that he is a Bank employee, who was primarily roped in the present case on the allegation that he was in conspiracy with the co-accused in facilitating opening of the Bank accounts, from which the money deposited by the complainants was withdrawn. He submits that at the time of opening the accounts, no forgery was committed by the petitioner and these Bank accounts were opened on the basis of the genuine documents. He, thus, submits that petitioner Bansi Lal had duly performed his duties. It is submitted that during investigation he was alleged to be found in conspiracy with the co-accused and recovery of Rs.20,000/- was allegedly shown to be made from him.

6. Learned counsel for petitioner Harpal Singh has also submitted



that he has been falsely implicated in the present case. It is submitted that both petitioners Harpal Singh and Bansi Lal did not even execute the agreements to sell as alleged by the complainants. It is submitted that the complainants entered into agreement to sell with the co-accused and the main allegations have been attributed to co-accused Netarpal, who already left India and is presently living in Dubai. It is submitted that Bank officials were hand in glove with accused Netarpal and Karan Thakur for cheating the complainant. He submits that it is petitioner Harpal Singh who is the victim of fraud committed by Netarpal and his brother-in-law Karan Singh, who prepared forged and fabricated documents for agreements to sell.

7. Learned counsel for the petitioners have submitted that co-accused Rohtash and Karan Singh @ Karna have already been granted regular bail by this Court vide order dated 13.02.2025 passed in CRM-M-36024-2024 and so far the main accused, namely, Netarpal is concerned, he has already escaped. It is submitted that the investigation is already complete and charges are also framed and material witnesses have also been examined. They, thus, submits that petitioner are behind bars since the date of their arrest, hence, in the facts and circumstances of the present case, they deserves to be granted regular bail.

8. Learned State counsel has placed on record the status report by way of affidavit of Nar Singh, HPS, Deputy Superintendent of Police, Fatehabad-II. He has vehemently opposed the submissions made by counsel for the petitioners. He has submitted that the petitioners in conspiracy with the co-accused had cheated the complainants for a total amount of Rs.3,43,12,187/-. He submits that petitioner Bansi Lal is a Bank employee,



who facilitated the opening of Bank accounts and these Bank accounts were misused by the accused in withdrawing money deposited by the complainants. He has submitted that petitioner Harpal Singh received Rs.62,00,000/-. He submits that red corner notice has already been issued against accused Netarpal, who fled to Dubai. It is submitted that out of 35 prosecution witnesses, 13 witnesses already stand examined. He, thus, submits that present petitions being devoid of merits, deserve to be dismissed.

9. After hearing learned counsel for the parties and perusing the record, it is inferred that the complainants alleged that they were defrauded by the petitioners in conspiracy with the co-accused and cheating of Rs.3,43,12,187/- was committed with them. However, as per allegations and the investigation conducted, agreement to sell were entered into by the complainants with the co-accused. The petitioners have been arrayed as accused during the investigation. On their arrest, supplementary challan has also been filed against the petitioners. Main accused Netarpal is said to have fled to Dubai. As submitted before this Court, out of total 35 prosecution witnesses, 13 witnesses already stands examined. Custody certificates would show that the petitioners are not involved in any other case. Co-accused Rohtak and Karan Singh @ Karna have already been granted regular bail by this Court, whereas, accused Thakar Singh has been granted anticipatory bail vide order dated 14.08.2024. Petitioner Harpal Singh was granted interim bail by this Court vide order dated 21.10.2024 on account of marriage of his daughter from 22.10.2024 to 26.10.2024 and there is nothing on record to show that he misused the concession of interim



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bail granted by this Court.

10. 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. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioners succeeds in making out a case for grant of regular bail to the petitioners.

11. Accordingly, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

12. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

07.04.2025

sharmila

Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No