



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

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CRM-M-17326-2025

Date of decision: 04.04.2025

Jasvinder Singh Bains

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sartej Singh Narula, Advocate and
Mr. Maninder Singh Saini, Advocate
for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab assisted by
Inspector Sakshi Sharma.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.26 dated 30.09.2023 under Sections 166, 177, 210, 406, 409, 418, 420, 120-B of the IPC and Section 7 of the Prevention of Corruption Act, 1988 (as amended), registered at Police Station Vigilance Bureau, Range Jalandhar, District Jalandhar.

2. Learned counsel for the petitioner submits that the petitioner, aged 76 years, has no previous criminal antecedents. It is contended that he has been falsely implicated in the FIR in question.

3. Learned counsel for the petitioner has further submitted that the petitioner is neither a shareholder of Wahid Sandhar Sugar Mill Limited nor does he have any role in the transactions in question. His involvement, it is argued, is based purely on conjecture, surmise, and



political vendetta.

4. It is further contended by the learned counsel that the allegations in the FIR primarily revolve around a mortgage deed executed in respect of land belonging to M/s Jagatjit Sugar Mills Company Limited, Phagwada, which was allegedly in violation of an order dated 09.02.1933, issued by Maharaja Jagatjit Singh. However, learned counsel asserts that a careful reading of the said order does not reflect any such restriction. Moreover, reports by the Naib Tehsildar, District Revenue Officer and Deputy Commissioner categorically confirm the legality of the mortgage transaction.

5. Learned counsel has further emphasized that the petitioner neither signed nor witnessed any mortgage or lease deed mentioned in the FIR. Resolutions of Wahid Sandhar Sugar Limited and M/s Jagatjit Sugar Mills Limited, dated 27.05.2019 and 23.05.2019, do not attribute any role to the petitioner. Additionally, it has been argued that Civil Court decree dated 16.02.2013, which recognized M/s Jagatjit Sugar Mills Limited as the lawful owner of the land, has not been set aside by any competent Court and remains in force.

6. Furthermore, it has been submitted that similarly placed co-accused, including the primary accused, have been extended the concession of bail. Given that the case is purely documentary in nature and no recovery is to be effected from the petitioner, the principle of parity applies and hence, the petitioner who has been in custody since 18.03.2025, be enlarged on bail.

7. *Per contra*, learned State counsel while opposing the



prayer and submissions made by learned counsel for the petitioner, on instructions from ASI Inspector Sakshi Sharma, has argued that the petitioner along with other directors, caused wrongful loss amounting to crores of rupees to the Government by unlawfully selling State-owned land. Learned State counsel, on further instructions, submits that the petitioner actively participated in passing resolutions related to the illegal sale. Furthermore, the sale was executed without obtaining prior Government approval, violating the order of Maharaja Jagatjit Singh dated 09.02.1933. As per the learned State counsel, the unauthorized transaction, resulted in huge financial losses to the Government.

8. However, learned State counsel has not disputed that identically placed co-accused have already been extended the concession of bail.

9. I have heard learned counsel for the parties and perused the material placed on record.

10. The core allegation in the FIR in question (Annexure P-1), is that 251 canals and 18 marlas of land were Government property and, as per the order dated 09.02.1933, could neither be mortgaged nor sold. However, it is undisputed that M/s Jagatjit Singh Mills Limited, through the petitioner (one of its directors), had filed Civil Suit No.11 of 19.01.2009, seeking ownership of the land. The Civil Court, through its judgment dated 16.02.2013, declared the company as the owner in possession of the land. The decree as not disputed by the learned State counsel remains valid and has not been set aside by any competent Court.



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11. Additionally, while allegations regarding tampering of revenue records have been made, there is no specific allegation against the petitioner in this regard, and the issue remains a matter of trial.

12. Given that similarly placed co-accused have already been granted bail, and considering the age of the petitioner, clean record and the fact that the case of the prosecution is primarily based on documentary evidence, this Court deems it fit to extend the concession of bail to the petitioner.

13. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

14. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

04.04.2025

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**(MANJARI NEHRU KAUL)
JUDGE**

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