

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

Sr. No.: 107

Criminal Miscellaneous No.M-25611 of 2025**Date of Decision: May 16, 2025**Balram Singh

..... PETITIONER(S)

*VERSUS*State of Haryana

..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**PRESENT:** - Mr. Parminder Singh, Advocate, for the petitioner.

Mr. Chetan Sharma, Deputy Advocate General, Haryana.

Mr. Viney Saini, Advocate, for the complainant.

SANDEEP MOUDGIL, J (Oral)**1. Relief Sought**

This is a petition seeking regular bail in case FIR No.1622 dated 22.01.2023 under Sections 406, 420, 467, 468, 471, 201, 193, 120-B IPC registered at Police Station, Civil Lines, District Karnal (Annexure P-1).

2. Prosecution story setup in the present case as per the version in the FIR is as under:

“Copy of complaint is as - To the Superintendent of Police, Karnal. Subject:- Complaint against 1. Balram Singh son of Ranbir Singh 2. Neelam wife of Balram Singh residents of Basant Vihar, Karnal and two unknown persons shown as witnesses in the forged agreement. Request regarding registration of case against the above said accused persons regarding changing of original supplementary agreement dated 09.10.2021 and preparation of forged agreement to sell dated 09.10.2021 and by forging my and notary's signatures and by getting prepared forged stamp of notary public and by filing court case by forging signatures of Om Parkash Advocate and committing forgery with me.



Respected Sir, it is respectfully submitted that the above said accused persons Balram Singh and Neelam Devi, in my court case titled as Suman Devi Versus Neelam etc. which is filed in the court of Shri Khatri Saurabh, Learned Civil Judge Senior Division, Karnal, got prepared forged supplementary agreement to sell and by getting recorded their statement in the learned court, submitted that agreement as D-27 on 26.05.2023, which has been prepared by forging signatures on it and by preparing forged stamp of Notary Public Om Parkash Advocate and forging his signatures, the forged agreement to sell dated 09.10.2021 has been prepared and the accused person Balram Singh got filed court case on behalf of the respondent Balram Singh and respondent Neelam and shown my remaining land measuring 5 marla as sold out. When I came to know about this then I was shocked. Respected Sir, that my father had transferred his one residential house n0.3-B, Gali no.5 and 6 Basant Vihar, Karnal vide decree no.153/2013 dated 29.07.2013 in my name and the above said house no.3-B was registered in my name vide Vasika no.4309 dated 21.08.2013 in the Tehsil Office, Karnal and mutation no.1687 was entered. My husband used to do service at Delhi, who got paralyzed in the year 2016. Due to that I started residing alongwith my husband at Delhi. During this, my brother accused Balram Singh and his wife accused Neelam Devi, with the intention of grabbing my house, had prepared a transfer deed no.8187 dated 13.01.2016 in forged manner. With regard to that I had filed a Civil case no.612/2016 in the year 2016 against my brother Balram Singh and his wife Neelam Devi. In which, during the testimony, on disclosure of forgery committed by Balra Singh as per the record submitted before the Tehsil Office, one complaint was given to the



learned Superintendent of Police, Karnal. Thereupon, after its inquiry, case no.238 under sections 420,406,467,468,471,120B of IPC was registered at Police Station Sadar Karnal against the accused Balram Singh and Neelam Devi and one another person Joginder Singh. The accused Balram Singh and Neelam Devi were arrested and after completion of the inquiry, challan was submitted before the court as final report U/s 173 Cr.P.C. Respected Sir, on 09.10.2023, I, while inspecting my case file titled as Suman Versus Neelam etc., came to know about mark D-27 forged supplementary agreement to sell submitted by the accused Balrarn Singh, after reading it the ground slipped beneath my feet because this supplementary agreement dated 09.10.2023 was prepared in forged manner by putting my forged signatures. Whereas original supplementary agreement to sell dated 09.10.2021 was executed in one another case Gurvinder Singh Versus Suman Devi between me and Gurvinder Singh in order to get corrected the clerical/typing mistake made in agreement dated 03.02.201 and 19.02.2016, which was got registered by us in register no.54 dated 09.10.2021 of Notary Public, Om Parkash, Advocate, my original signatures are there in the register and in supplementary agreement. Gurvinder Singh, in order to get corrected his agreement dated 03.02.2016 and 19.02.2016 and decree dated 18.09.2020, had filed a case titled as Gurvinder Singh Versus Suman Devi in the learned Court at Karnal on 03.12.2021, for that purpose with regard to get rectified this mistake, Gurvinder Singh and I.had written this agreement in the past. From the original agreement, photocopy of stamp no.L01202144 and GNR No.83010591 was used by the accused Balram Singh and on this same numbered stamp, another forged supplementary agreement dated 09.10.2021



was prepared by the accused persons Balram Singh and Nelam and during his testimony in the court on 26.05.2023, the accused Balram Singh submitted the same with the motive of taking advantage for himself. In the forged supplementary agreement to sell, Gurvinder Singh, Deep Chand, Surender Kaur wife of Ranjit Singh were intentionally shown as buyers because case no.238, which is registered against the accused Balram, Gurwinder Singh is witness and Deep Chand is witness in the court case. Due to this very motive, in order to create the dispute, by putting my forged signatures, the accused Balram Singh and Neelam prepared this supplementary agreement and produced the same before the court. Respected Sir, in my another case titled as Suman Versus Neelam etc. bearing no.C.S. 612/2016, which I have filed against my brother Balram Singh and Neelam Devi in the learned court of Karnal for cancellation of forged transfer deed no.8187, in which on seeing the forged supplementary agreement dated 09.10.2021 annexed by the accused Balram Singh, I was astonished, in which my remaining plot/house measuring also has been shown to be sold in favour of Gurvinder Singh, Deep Chand, Surender Kaur wife of Ranjit Singh and efforts have been made to mislead the learned court and with the intention of finishing my remaining land/plot, original supplementary agreement has been got prepared in forged manner with the help of computer and my signatures were forged on it and by preparing fake stamp and forged signatures of the Notary Public Om Parkash, attached it with my civil case Suman Devi Versus Neelam etc. with the motive of taking



advantage. The accused persons Balram Singh and Neelam Devi earlier also have committed forgery. For comparison of the forged supplementary agreement prepared by the accused Balram Singh and original supplementary agreement and signature of notary public, by giving an application, I sought report from Forensic Signature specimen specialist by giving attested document, in which mine and notary public's signatures were found to be forged on Mark D-27. The accused is advocate in Court at Karnal, he knows the law very well and is a cunning type of person and by inviting advocates of Bar Association, Karnal in the court, he puts pressure. Due to this courage, the accused Balram Singh and Neelam, by preparing my forged supplementary agreement, in order to mislead the learned court of Shri Khatri Saurabh, Civil Judge, Senior Division, Karnal and in order to misappropriate my remaining land measuring 5 marla, attached it with my court case titled as Suman Devi versus Neelam etc. case no.612/2016. Hence, it is requested to yourself that case may be registered without delay against the accused persons Balram Singh and Neelam Devi with regard to committing forgery by preparing forged supplementary agreement dated 09.10.2021 by putting my forged signatures and by putting forged stamp and signatures of notary public and the forged agreement dated 09.10.2021 may be recovered from the possession of the accused persons Balram Singh and Neelam and forged stamp may be recovered. Alongwith this complaint, I am attaching my original attested agreement dated 09.10.2021 and attested copy of notary public register no.54 and attested copy of testimony dated 26.05.2023 given in the court by Balram Singh and forged agreement dated 09.10.2021 submitted by Balram Singh and specimen signature report. I am ready to provide my specimen signature and by taking



forged transfer / sale deed dated 09.10.2021 mark D-27 from the accused in your custody, in order to send it to F.S.L. Madhuban, case may be registered against the accused person. Action may please be taken immediately on my application. Case may be registered against the accused persons and justice may be provided to me. It shall be very kindness of you. Date 16.10.2023 Sd/-Suman Devi wife of Rampal resident of House no.1667/18, Nathupura, Burari Delhi. Mb.No.8447965165. At Police Station-At this time it is entered that the undersigned A.S.I. Rajesh is present at the police station that on receipt of the above said complaint no.4642/Peshi dated 16.10.2023 from the office of Superintendent of Police, Karnal alongwith inquiry report from Economic Offence Wing, Karnal through post in the police station, case no.1622 dated 22.11.23 U/s 467,468,471,193,120B IPC registered at Police Station Civil Line Karnal and copy of police case alongwith original complaint kept in self custody by the undersigned A.S.I. for further investigation and remaining copies of FIR are being sent through post to the senior officers.”

3. **Contentions**

On behalf of the petitioner

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the case with an intention to grab his property. The dispute pertains to immovable property between the petitioner and complainant-his real sister. The petitioner has been in custody since 20.04.2025 and nothing has been recovered from his possession. He is not involved in any other criminal case. He is alleged to have furnished a false and fake agreement to sell dated 09.10.021 in civil suit pending between the parties.

**On behalf of the State/Complainant**

Learned State counsel, appearing on advance notice, while opposing the prayer for regular bail, submits that as per the custody certificate dated 14.05.2025, petitioner is also involved in one other FIR and co-accused Neelam (wife of petitioner) is yet to be arrested. There is every apprehension that in case the petitioner is enlarged on bail, he might influence the witnesses.

4. Analysis

The case between the parties seems to be arising out of a civil dispute on the quantum of share in property and in pursuance thereof, an agreement to sell dated 09.10.2021 is alleged to have been forged with the signatures of complainant as well as that of the witnesses. The investigation has commenced in the case wherein statements of alleged witnesses as well as of the complainant have been recorded. The photocopy of the alleged agreement has been brought. FSL is stated to have also authenticated the forgery of the signatures *prima facie*.

As far as the pendency of other case(s) and involvement of the petitioner in other cases is concerned, reliance can be placed upon the order of this Court rendered in CRM-M-25914-2022 titled as ***“Baljinder Singh alias Rock vs. State of Punjab”*** decided on 02.03.2023, wherein, while referring Article 21 of the Constitution of India, this Court has held that no doubt, at the time of granting bail, the criminal antecedents of the petitioner are to be looked into but at the same time it is equally true that the appreciation of evidence during the course of trial has to be looked into with reference to the evidence in that case alone and not with respect to the evidence in the other pending cases. In such eventuality, strict adherence to the rule of denial of bail

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on account of pendency of other cases/convictions in all probability would lend the petitioner in a situation of denial the concession of bail.

Be that as it may, looking into the aforesaid contentions, particularly made on behalf of learned State counsel, this Court though is not commenting upon the merits whether there is *prima facie* case or not made out against the petitioner but by any means, it would purely be a case based on documentary evidence which can be obtained and tested by the investigating agency in case petitioner joins the investigation, for which the petitioner need not to continue in custody. The petitioner has already suffered 24 days inside and investigation has not yet been concluded. The undertaking given in the petition to the effect that petitioner will continue to join the investigation as and when called for by the Investigating Officer and will duly cooperate with the agency for taking the investigation to its logical conclusion, the present petition deserves to be allowed.

5. **Decision**

Hence, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition is, hereby, allowed.

(SANDEEP MOUDGIL)
Judge

May 16, 2025

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Whether Speaking/ Reasoned:

Yes/ No



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Whether Reportable:

Yes/ No