

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29464-2025
Reserved on: 03.07.2025
Pronounced on: 30.07.2025

Tanuj Kumar @ Tanuj Kumar Singh ...Petitioner
Versus
State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Keshav Pratap Singh, Advocate,
for the petitioner.

Mr. Naveen K.Sheoran, DAG, Haryana.

Mr. Aditya Jain, Advocate,
for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
70	11.02.2025	Bhondsi, District Gurugram	3(5), 318(4), 336(3), 338, 340 of BNS

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. As per paragraph 17 of the bail petition and as per paragraph 8 (v) of the status report, the accused has the following criminal antecedents:

Sr. No.	FIR No.	Dated	Offenses	Police Station
1.	143	11.11.2024	420, 467, 468, 471, 120-B IPC	DLF Phase-II, Gurugram, Distt. Gurugram
2.	48	10.02.2025	318(2), 336(3), 61(2), 338 and 340 BNS	Rajendra Park, Gurugram, Distt. Gurugram

3. The facts and allegations are being taken from the status report filed by the State, which reads as follows:

“3. That the brief facts of the present case are that a complaint was submitted by Manoj Pal wherein it is mentioned that his mother Smt. Saroja Devi is the legal owner of agriculture land measuring 1200 sq yards (2 kanals) in in Mohan Nagar, Bhondsi (Distt. Gurugram). She purchased this piece of land from her elder brother. Shri Vikram Singh in 2005 through a registered sale deed, and the same is in their possession. Earlier three registered sale deeds in original, are also in their possession. Some local persons namely Devendra Raghav @ Devilal and

Dushyant are claiming to be the owner of this land on the basis of some fake documents :- Agreement to Sell / GPA/POA. On these documents there are forged signatures of his mother Smt. Saroja Devi and his brother Manish Singh (as witness). This forgery of documents has been committed by Rishi Pal Singh (maternal uncle) and his son Tanuj Kumar. They had in their possession receipts of few cheques given to his mother as return of money given to them. These receipts were signed by his mother and brother. On the basis of these receipts, Rishi Pal Singh and Tanuj Kumar created fake documents (Agreement to Sell/GPA/POA) to sell the impugned agricultural land at Bhondsi and Devendra Raghav @ Devilal claims to have purchased the land from Rishi Pal Singh for a consideration of Rs.1.5 crores. On 13.01.2025, they threw the luggage of the chowkidar who was staying there for 15 years and put one lock on the gate. When they reached Mor, these goons did not allow them to enter and created ruckus. They dialled 112 and called PCR that took them to the Bhondsi Police Chowki where a report was lodged by him in person. According to local people, Devendra Raghav, Rishi Pal Singh and his son Tanuj Kumar are planning to make small plots and sell the plots quickly. They met SHO PS Bhodsi who asked ASI Rajesh Kumar to take statements of both parties including complainant's (who was not with them as she is very old). At Police Chowki, the impugned documents were shown by the ASI Rajesh Kumar to his brother and he confirmed that he never signed any such documents as witness and that his mother too had never signed any such documents in his presence or in his absence. Her signatures are clearly forged as she has never executed any power of attorney or agreement to sale. The complainant further alleged that neither ASI/SHO, Bhondsi nor Rishi Pal Singh nor Devendra Raghav gave the copies of these forged documents to them so that they may file forgery case against Rishi Pal Singh and Tanuj Kumar in the court of law. Rishi Pal Singh is showing copies of some receipts of cheques and cash that was given to them by his mother when they returned her old money after a long time. She has not signed any such documents like Agreement to Sale/POA/GPA. All documents are fake and Rishi Pal Singh and his son Tanuj Kumar have cheated all his relatives in the past 20 years and they are ready to testify about his misdeeds. Prayer was made for taking legal action. Thereupon, the above mentioned FIR No. 70 dated 11.02.2025 u/s 318(4), 336(3), 338, 340, 3(5) BNS was registered at P.S. Bhondsi, Gurugram."

4. The petitioner's counsel argues that the allegation against the petitioner is that he is a witness to the agreement.

5. However, the counsel for the State submits that petitioner intentionally made himself as a witness for taking a less responsibility and he was involved in the cheating.

6. The petitioner's counsel next argument is that petitioner's father had paid Rs.31,50,000 as sale consideration for an agreement to sell dated 01.08.2024 to help the mother of the complainant in performing the marriage of her daughter and the present FIR is only a counterblast to the legal notice and civil suit filed by the father of the petitioner. The counsel for the petitioner further submits that the stand of the complainant is that the said loan was returned, however, it's a false statement.

7. Counsel for the petitioner further submits that it is a civil dispute and the criminal colour has been given to it.

8. 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 his family.

9. 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.

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

REASONING:

11. An analysis of the arguments and the reply coupled with the petition would lead to the following outcome.

12. The petitioner counsel has referred to annexure P-1, which is an agreement and also receipts. It's a case on the razor edge where the possibility of the allegations being truthful or being false appear to be on equal footings. It would be appropriate to refer to para 8 of the reply, which reads as follows.

"8. i. That the role of the petitioner Tanuj Kumar in the present case is that he was taking care of the land of the complainant. Due to rising prices of property in Gurugram, the petitioner became greedy and the petitioner Tanuj Kumar, along with his father i.e. co-accused Rishipal Singh, prepared the forged agreement to sell, GPA and POA of the land in question from his laptop by fraudulently scanning the signatures of the original owner Saroja Devi (mother of the complainant) and witness Manish. The petitioner used the said fake documents and attempted to provide the illegal possession of the land in question to Devender @ Devi Lal. The petitioner had purchased the stamp and got typed the documents i.e. agreement to sell, possession letter, GPA etc. from Hansraj Kansal Stamp Vendor and himself affixed the signatures on behalf of all concerned parties. He got attested the said documents from Ram Niwas Malik Notary and himself affixed the signatures of all concerned parties. The petitioner has got recovered the laptop and scanner used for preparing the forged documents in the present crime.

ii. That the evidence against the petitioner is that he has been named by the complainant in the present FIR. The petitioner has got recovered the laptop and scanner used for preparing the forged documents in the present crime.

iii. That no amount / money is involved in the present matter as the present case pertains to forgery of documents with the intention to illegally usurp the land of the complainant, as there is no transaction has taken place with the alleged purchase.

iv. That no amount / money is attributed to the petitioner and no amount / money has been recovered / frozen in the present case."

13. Even if the investigation conducted by the State is taken, still it is the petitioner's

father who is the main accused. Regarding the previous criminal history of the petitioner which might corroborate towards his being a thug, the counsel for the petitioner has undertaken during the course of arguments that in case this court grants him bail without conceding him and admitting he would have no objection, he would live like a decent human being without conceding and admitting and he would have no objection that if not only this bail cancelled but also the bails granted in other FIRs as mentioned in the reply is also cancelled. Once the petitioners counsel has made the statement that even if the petitioner is deemed to be involved, without admitting and conceding, moreover the petitioner is not the main accused. Thus, in the entirety of facts and circumstances and given the custody mentioned above, the petitioner makes out a case for bail.

14. There is sufficient primafacie 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 20.02.2025. As per the same, the petitioner's total custody in this FIR is around 05 months. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the primafacie 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.

15. The investigation indicates that the petitioner is not the main accused, so the petitioner's bail shall not be treated as a precedent for granting bail to the other co-accused with a higher role.

16. 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 bail.

17. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

18. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

19. This order is subject to the petitioner's complying with the following terms.

20. The petitioner shall abide by all statutory bond conditions and appear before the

concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case, or dissuade them from disclosing such facts to the Police or the Court.

21. The significant consideration for granting bail is that the Court aims to give the petitioner another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioner also abides by the assurance made on the petitioner's behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.

22. This bail is conditional, with the foundational condition being 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 as per their discretion, they may cancel this bail.

23. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

24. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

25. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

30.07.2025
Jyoti-II

Whether speaking/reasoned:	Yes
Whether reportable:	No.