



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

228

CRM-M-37323-2025

Date of decision: 07.11.2025

Varun Puri

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present : Mr. Vinod Ghai, Senior Advocate with
Ms. Kashish Sahni, Advocate and
Mr. Sharvi Dadhwal, Advocate
for the petitioner.

Mr. Hardeep Hans, AAG, Punjab.

AARADHNA SAWHNEY, J.(ORAL)

1. By virtue of the present petition under Section 483 BNSS, petitioner, an accused in case bearing FIR No.384 dated 23.11.2018 registered against him, for commission of offences punishable under Sections 406, 420, 120-B of IPC at Police Station Kherki Daula, District Gurugram, has prayed for grant of bail.

2. In brief, the allegations against the petitioner are as follows:-

That the applicants/complainant are a peace loving citizen currently residing at H.No. 127 Ist Floor Sector 46, Gurgaon Haryana-122001. That the complainant has named 4 person as the accused in the captioned complaint namely accused no 1 M/s Universal Buildwell Pvt Ltd and Sh Rahman Puri Managing Director of accused company, Varun Puri and Vikrampur Director and authorised signatory of the accused company. It is pertinent to note that accused no. 1 to 4 are also the promoters of the accused no. 1 company that the accused no. 1 to 4 are the promoter Director of accused no. 1 company and are related to each other. Factual matrix A. That the complainant entered into an agreement to sell dated 16.01.2013 with I Mrs. Gurdeep Kaur for buying Flat No 604,



Tower I at Sector 82 Universal Aura, Gurgaon, Haryana. Copy of agreement to sell dated 16.01.2013 annexed herewith as Annexure C-1. B.-That the accused persons in connivance with each other began collecting the booking amount and started raising subsequent demands even before obtaining the building plan approval from DTCP, Haryana which is in gross violation of Clause-7 of License No. 51 of 2011. The builder had advertised the said project through a full page ad in the leading newspaper and also through property dealer, which of license is contravention as per the terms and conditions (No.07) of license No. 51 and thus lured the complainants into buying the said property without having any intention. Whatsoever to deliver the possession of the said property to the complainants but to usurp the money of the complainants that even though the present complainant had purchased the said flat through resale but even before buying the property through the resale. From the previous allottees but even before buying the property through the resale from the previous allottees, the complainant was allured from the advertisement of the accused persons and their company. The pictures and the projection about the said flat was drawn from those advertisement of the accused company.

3. This complaint was filed before the learned Magistrate. Invoking powers under Section 156(3) Cr.P.C., criminal case vide FIR No.384 dated 23.11.2018 under Sections 406, 420, 120-B of IPC, was registered against petitioner and others.

4. Petitioner/accused who was arrested on 07.03.2025 moved an application for grant of bail before the learned Additional Sessions Judge, Gurugram. The same was dismissed vide order dated 14.05.2025. Aggrieved of the said order, the present petition has been filed.

5. Learned Senior counsel for the petitioner submits that petitioner



has been falsely implicated in the present case. The dispute stems out of an alleged non-compliance of Builder Buyer agreement dated 10.10.2011 (Annexure P-4) executed in favour of the complainant, who had Rs.60 lakhs. Learned Senior counsel further submits that on account of financial distress, petitioner could not adhere to the terms and conditions of the aforesaid agreement. Further the allottees of units in the projects of UBPL including the complainant have taken the Company for CIRP/liquidation under the Insolvency and Bankruptcy Code, where vide order dated 03.07.2018, passed in IB 456 [ND]/2018, the entire assets of the company and all its projects are with the Resolution Professional. Further, the Resolution Plan for UBPL has also been passed by the NCLT vide order dated 07.03.2025 (Annexure P-9). Learned Senior counsel next submits that there is nothing left to be recovered at the instance of petitioner, the entire case is based on documentary evidence and presently is in possession of Resolution Professional of UBPL.

Towards the end, learned Senior counsel contends that petitioner against whom several cases of like nature have been registered, has been extended the concession of bail by various Coordinate Benches of this Court. He has also placed on record copies of orders dated 08.08.2025, 11.08.2025, 13.08.2025 and 27.10.2025 passed in CRM-M-37287-2025, CRM-M-37558-2025, CRM-M-37564-2025, CRM-M-37412-2025, CRM-M-37372-2025 and CRM-M-37508-2025, respectively. It is, thus, the submission of learned Senior counsel that similar treatment be meted out to the petitioner in the present case as well. Morseo, when the challan has been filed but completion of trial (offences being magisterial triable) is likely to take some time. Thus, further incarceration of the petitioner, in the facts and



circumstances mentioned hereinabove, would not serve any useful purpose.

Prayer for allowing the petition has been made.

6. Status report by way of an affidavit of Mr. Virender Singh, HPS, Assistant Commissioner of Police, Manesar, Gurugram has been placed on record, wherein role of the petitioner as also his questionable past antecedents have been highlighted. It is also the contention of learned State counsel that the petitioner in consonance/conspiracy with the other Directors of M/s Universal Buildwell Pvt. Ltd. orchestrated real estate fraud, whereby several innocent persons lost their hard earned money. The company did not have requested approvals and subsequently went into liquidation. Dismissal of the petition has been prayed for.

7. Both the counsel have been heard and documents on record have been perused.

8. In view of the submissions advanced by learned counsel for the petitioner, but without advertting to merits of the case, as also considering the fact that petitioner has been in custody since 07.03.2025, Coordinate Benches of this Court have granted the concession of bail in other cases of like nature, the Court is of the opinion that no useful purpose would be served by further detention of the petitioner, as the same, without the prospect of trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India, including right to speedy trial and would, thus, also be against the principle of "*Bail is a general rule and incarceration is an exception*" as held by Hon'ble Supreme Court in ***Dataram vs. State of Uttar Pradesh and another, 2018(2) R.C.R. (Criminal) 131.***

In ***Maulana Mohd. Amir Rashadi Vs. State of U.P. and***



another, 2012(1) RCR (Criminal) 586, Hon'ble Supreme Court upheld the order of the High Court in granting bail to the second respondent/accused on the ground that he had been in custody for a long period and the possibility of the trial being concluded in the near future was remote.

Resultantly, petitioner is granted the concession of bail subject to his furnishing bail/surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned. The petitioner shall abide by the following conditions:-

- (i) The petitioner shall not leave the country without prior permission of the trial Court and shall deposit the passport in the trial Court.*
- (ii) The petitioner will not tamper with the evidence during the trial.*
- (iii) The petitioner will not pressurize/ intimidate the prosecution witnesses.*
- (iv) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.*
- (v) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.*
- (vi) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.*
- (vii) The petitioner shall not in any manner misuse his liberty.*
- (viii) The petitioner shall furnish his address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the petitioner seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial*



Court, stating the reason for the same.

(ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

9. Accordingly, the present petition is allowed and it is made clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

In view of the above, it is clarified that the observations made herein are limited for the purpose of present proceedings and would not be construed as an opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AARADHNA SAWHNEY)
JUDGE

07.11.2025

Hemant

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