



CRM-M-45503-2025(O&M)

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

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CRM-M-45503-2025(O&M)
Decided on :18.11.2025

Himmat Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. P.S. Sekhon, Sr. Advocate with
Mr. Chander Pal Tiwana, Advocate for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

Mr. Harvinder Singh Maan, Advocate for the complainant.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of the *Bharatiya Nagarik Suraksha Sanhita* (BNSS) seeking grant of regular bail in case FIR No. 523 dated 21.11.2024, under Sections 420, 465, 467, 468, 471 IPC (Sections 465, 467, 468, 471 IPC were added later on), registered at Police Station Zirakpur, District SAS Nagar Mohali.

2. As per the allegations in the FIR, an agreement to sell dated 18.11.2023 was executed regarding land measuring 21 Bigha 9 Biswa and 8 Biswansi situated in Village Gazipur, Hadbast No. 50, Tehsil Zirakpur, District SAS Nagar, for a consideration of Rs. 2,60,00,000/- per acre, between Vijay Kumar and Rao Varinder Singh (both complainants) and Himmat Singh (petitioner herein). The total sale consideration was

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fixed at approximately Rs. 13 crores, out of which an amount of Rs. 2.5 crores had been paid as earnest money for the aforesaid land measuring about 5 acres.

As per the allegations, in the said agreement to sell, co-accused Charanjeet Singh projected himself as the owner of the land, which was to be sold to the complainants Vijay Kumar and Rao Varinder Singh. Subsequently, it was found that the documents were forged and that Charanjeet Singh was not the actual owner, contrary to his representation in the agreement to sell. However, considering the fact that out of the amount of Rs. 93 lakhs received by him from the earnest amount of Rs. 2.5 crores, he returned Rs. 79 lakhs to the complainant party, he was granted the concession of regular bail by the learned Additional Sessions Judge, Mohali, vide order dated 29.03.2025 (P-3).

It is further submitted that a portion of the amount received by co-accused Charanjeet Singh was transferred to the bank accounts of his wife, Tajender Kaur, and his daughter, Gurneet Kaur. Both of them have also been granted the concession of anticipatory bail by the learned Additional Sessions Judge, Mohali, vide order dated 29.04.2025 (P-4).

It is also submitted that the quashing petition filed by co-accused Charanjeet Singh, i.e., CRM-M-30858-2025, is pending for 09.01.2026, and the proceedings against him have already been stayed till the next date of hearing.

Learned senior counsel further submits that, in fact, the dispute is of a civil nature, yet the FIR has been registered and challan

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has been presented for offences under Sections 420, 465, 467, 468, 471, and 120-B IPC. Petitioner is in custody for more than four months, i.e., since 02.07.2025, and culmination of the trial is likely to take considerable time. It is also argued that the offences are triable by the Magisterial Court. Thus, prays for grant of regular bail to the petitioner.

3. On the other hand, learned State counsel has filed status report by way of affidavit of Ghazalpreet Kaur, IPS, Assistant Superintendent of Police, Sub Division Zirakpur, District SAS Nagar, in Court today. Same is taken on record. Registry is directed to tag the same at appropriate place with the paper-book.

Learned State counsel also confirms the period of custody already undergone by the petitioner.

It is submitted that the allegations in the present case pertain to a serious economic offence involving a deep-rooted conspiracy, forged documents, and cheating to the tune of several crores of rupees. It is argued that such offences undermine public confidence in property transactions, and therefore require a stricter view at the stage of bail. The State counsel contends that economic offences are considered grave in nature, and hence bail should not be granted lightly. It is further argued that the investigation is still in progress on certain aspects, and release of the petitioner at this stage may adversely affect the ongoing investigation or lead to tampering with material witnesses.

4. However, despite opposing the bail plea, none of the counsel appearing on behalf of the respondent/State or the complainant could

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point out any other criminal case that stands registered against the petitioner as on date.

5. I have heard learned counsel for the parties and have carefully perused the paper-book, along with the documents appended thereto, including the status report

6. After examining the facts and circumstances in their entirety, this Court is of the prima facie view that it is yet to be determined by the trial Court whether the dispute in question is predominantly civil in nature or whether any element of criminality is involved. Undoubtedly, for a finding of cheating, intention to deceive must exist from the very inception of the transaction, and such an aspect cannot be conclusively adjudicated in the present proceedings.

Moreover, trial is yet to commence before the Court of the learned Magistrate, and petitioner is in custody for a period of more than four months. The allegations arise out of an agreement to sell, and conclusion of the trial is likely to take considerable time.

Accordingly, without commenting upon the merits of the case, present petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing bail bonds and surety to the satisfaction of the learned trial Court concerned.

Consequently, present petition stands allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial



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Magistrate/Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

8. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

18.11.2025
Rashmi

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No