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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.46847 of 2025
Date of Decision: 31.10.2025
Reserved on: 28.10.2025

Devender Narayan @ Devender Kumar ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Harmanjit Singh Jugait, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

Mr. Rajesh Lamba, Advocate and
Mr. Abhinva Kaushik, Advocate,
for the complainant.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
105	05.09.2024	Bhupani, District Faridabad	465, 467, 468 and 473 of IPC (473 of IPC was deleted and 471, 120-B and 201 of IPC were added later on)

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of complaint submitted by complainant Rakhi wife of Naveen alleging

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therein that her husband had entered into an agreement to sell a 110 square yards plot owned by him to one Priyanka Kumari. A written agreement was executed on 18.08.2020. The sale deed was to be executed till 10.04.2021. Priyanka Kumari had given a sum of Rs.1,50,000 as earnest money. She did not get the sale deed registered till the due date. She contacted her husband thereafter and offered to purchase a plot bearing No.202 measuring 100 square yards. Her husband had agreed to the same. After adjusting the previous amount of Rs.1.50 lakhs, cheque for an amount of Rs.6.50 lakhs had been given by Priyanka Kumari to her husband as sale consideration amount was fixed to be Rs.9 lakhs. Sale deed was to be executed till 15.07.2021. Priyanka Kumari did not get the same executed and thereafter started exerting pressure upon her husband to give plot measuring 110 square yards to her. She lodged an FIR registered against her husband. By alleging that she had done so to take illegal possession of some other property owned by her husband and that she had also prepared some false and fabricated documents and on the basis of the same had got released an electricity connection in her favour qua the land owned by her husband and had committed fraud, she prayed for taking action in the matter. Initially, a case under Sections 465, 467, 468 and 473 of IPC was registered. Offence under Section 473 of IPC was deleted and offences under Sections 471 and 201 read with Section 120-B of IPC were added. Accused Priyanka Kumari was arrested on 25.10.2024. Her disclosure statement was recorded.

3. As per the further allegations, during the course of

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investigation, it was found that the petitioner had hatched a conspiracy with the accused Priyanka Kumari and in pursuance thereof, the petitioner had transferred an amount of Rs.12,000/- online to the account of co-accused Amit Kumar who was posted as Meter Reader in Electricity Department and who in connivance with another accused Bhagirath had got prepared a fake agreement in the name of Priyanka Kumari and had got sanctioned and installed a meter in her name at the property in question. The co-accused Amit Kumar and the petitioner were arrested. Investigation now stands completed and challan has been presented in the Court.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. His complicity in any crime has not been established. The complainant has no locus standi to lodge the FIR. The ingredients for commission of subject offences are not attracted qua him at all. His custodial interrogation is not required for further investigation as the same stands concluded. The trial will take considerable time. No useful purpose would be served by his further incarceration. He does not have any criminal antecedents. It is, therefore, urged that he deserves to be released on bail.

5. On the other hand, learned Assistant Advocate General, Haryana assisted by learned counsel for the complainant has argued that the complicity of the petitioner in the crime stands prima facie established and he does not deserve to be extended benefit of bail.

6. This Court has considered the rival submissions.

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7. The petitioner is alleged to have hatched a conspiracy with the co-accused and in pursuance thereof, is alleged to have planned to get an electricity meter installed in the name of accused Priyanka Kumari on the property which was in dispute between her and the complainant's husband on the basis of a fake agreement. He is alleged to have transferred an amount of Rs.12,000/- in favour of co-accused Amit Kumar who was a Meter Reader. The subject offences are triable by Magistrate. The trial is likely to take time to conclude as no witness has been examined so far. It is a debatable question as to whether the ingredients for commission of offences of forgery and use of forged documents are attracted qua the petitioner or not? It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the clean antecedents of the petitioner and the above discussed facts, this Court is of the considered opinion that the petitioner has made out a case for release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANISHA BATRA)
JUDGE

31.10.2025
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No