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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-47571-2025

Date of decision: 28.10.2025

GAURAV KUMAR ALIAS GAURAV GARG

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. R.S. Rai, Sr. Advocate with
Ms. Rubina Virmani, Advocate and
Mr. Saurabh Arora, Advocate for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

Mr. Akshat Kalia, Advocate for the complainant.

YASHVIR SINGH RATHOR. J.(Oral)

1. Present (second) petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed for grant of regular bail to the petitioner in case FIR No.146 dated 06.05.2025, under Sections 420, 120-B IPC (Sections 465, 467, 468, 471 IPC added later on), registered at Police Station Kharar, District SAS Nagar.
2. Status report dated 08.10.2025 by way of affidavit of PPS, Deputy Superintendent of Police, Kharar-I, District S.A.S. Nagar (Mohali) has been filed on behalf of respondent-State and the same is taken on record.
3. The present case was registered on the basis of statement given to the police by complainant Ankit Sakhoja with the allegations that he along with Megha Sachdeva had purchased two shops bearing No.16 and 17, Mata Gujar Extension 1, Sukh Plaza Bhago Majara, Kharar from Amit Kumar, Director, Gunjan Land Developers, vide Sale Deeds dated 17.10.2023. When they visited



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the Revenue Department, they came to know that these very shops have been sold by Amit Kumar to one Anirudh Garg, vide subsequent Sale Deed dated 12.01.2024 and he sought action against him. Matter was investigated and it was revealed that present petitioner Gaurav Kumar, who is brother of Amit Kumar had collected photocopies of the sale deeds from present complainant and had also taken Rs.10,000/- for getting mutations sanctioned in their favour and thereafter, he handed over to them Jamabandi 2017-18 and two mutations No.18417 and 18617 but these mutations have been found to be forged and fabricated. Petitioner was arrested on 27.06.2025 and after completion of investigation, final report has been presented on 18.08.2025.

4. I have heard learned counsel for the petitioner, counsel for the complainant as well as learned State counsel and have gone through the record.

5. Learned counsel for the petitioner argued that all the offences are Magisterial trial. Petitioner has not sold the shops owned by complainant and Megha Sachdeva to Anirudh Garg and rather, it is his brother Amit Kumar, who has executed the second sale deed *qua* the same property, while selling the land to Anirudh Garg. As to whether petitioner had supplied forged mutations and sale deeds, as alleged shall be the moot question during the trial. Petitioner is in custody since 27.06.2025. Learned counsel next contended that final report/challan has already been presented after completion of investigation and the trial is likely to take a long time to conclude and further detention of the petitioner is not required and he may be released on bail.

6. On the other hand, learned State Counsel has opposed the bail and argued that in view of the gravity of the offence, petitioner does not deserve the

concession of bail.

7. Petitioner is in custody since 27.06.2025. All the offences are Magisterial trial. Investigation stands completed and final report has already been presented on 18.08.2025. Trial will take sufficiently long time to conclude and as such no useful purpose will be served by detaining the petitioner in custody.

8. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned, on usual terms and conditions.

28.10.2025
amandeep

(YASHVIR SINGH RATHOR)
JUDGE

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