



CRM-M-49605-2025 (O&M)

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

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CRM-M-49605-2025 (O&M)

Date of decision: 26th September, 2025

Balbir Adhana

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Manoj Kumar Sood, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 76 dated 20.06.2025 registered under Sections 61(2), 318(4), 338 and 340(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Bhupani, Faridabad.

2. The aforementioned FIR was registered on the basis of a complaint lodged by the complainant Purnima Garg, on the allegations that she was the owner of 70 kanals and 03 marlas of agricultural land at village Bhupani, District Faridabad. She was frequently approached by property dealers who were desirous of purchasing her land, but she was not willing to sell the same. She alleged that on 05.06.2025, one property broker namely Deepak Goyal made a call to her and asking as to whether, she had sold her



lane to someone, when she replied in negative, he sent through *whatsapp* copies of an agreement to sell dated 02.06.2025 and receipt of the same date purportedly signed by her. On going through the contents of those documents, she came to know that one agreement of sell her property had been prepared in the name of one M/s Krishna Real City Pvt. Ltd. by forging her signatures and showing that she had received a sum of Rs. 44,00,000/- by cheque as well as cash as earnest money. Alleging that a fake and forged agreement was prepared to cause wrongful loss to her and she had defrauded, she prayed for taking action.

3. Investigation proceedings have been initiated and are underway. During the course of investigation, the accused Vijay Singh @ Doctor was arrested. On interrogation, he suffered disclosure statement to the effect that he was working as a property agent along with the present petitioner, who was also a property dealer operating under the name and style of M/s Krishna Real City Pvt. Ltd.. He disclosed that it was on the asking of and in connivance with the petitioner that he had purchased stamp paper in the name of the brother of the complainant and by forging his signatures had got prepared the agreement to sell in question. On asking of the petitioner in question, he himself had appended his signatures and thumb impressions purported to be that of the petitioner and of complainant Purnima Garg as well as her brother Prabodh Kumar and had given that agreement to sell to the petitioner. He further disclosed that as per the instructions of the petitioner, he had been looking for the some buyer of the property owned by the complainant and had contacted one property dealer Arun, whose acquaintance Parkash Chand had agreed to buy the property and he had sent



a copy of the agreement through *Whatsapp*. The petitioner was as such nominated as an accused. Apprehending his arrest, the petitioner moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Faridabad, which was dismissed vide order dated 21.08.2025.

4. It is argued by the learned counsel for the petitioner that he has been falsely implicated in this case. The impugned agreement to sell neither bears his signatures nor the stamp paper of the same was purchased by him. The co-accused Vijay who had forged the agreement has already been arrested. No recovery is to be effected from him. His custodial interrogation is not required. He is ready to join the investigation. He is not beneficiary of any transaction. No inducement is alleged to have been made by him. As such, it is urged that he deserves to be extended benefit of bail.

5. Status report has been filed by respondent-State. While refuting the contentions raised by the petitioner's counsel, it is argued by learned State counsel that there are specific and serious allegations against the petitioner, as it has come on record that it was the petitioner in connivance with whom and on whose behest the accused Vijay Singh had prepared false agreement to sell after forging signatures/ thumb impression of the complainant, her brother as well as of the petitioner himself. He was going to be the beneficiary of the transaction. For conducting thorough investigation in the matter and for eliciting information as to the *modus operandi* adopted by the petitioner and the other accused, the custodial interrogation of the petitioner is must. Even otherwise, no extra ordinary or exceptional circumstance is made out for grant of bail. Therefore, it is urged that the petition does not deserve to be allowed.



6. This Court has heard learned counsel for the parties at considerable length.

7. The petitioner in connivance with the co-accused is alleged to have got prepared a false and fabricated agreement by forging signatures/thumb impressions of the complainant and her brother in order to deprive them of their property as well as to cause wrongful loss to them by showing that they had been paid a sum of Rs. 44,00,000/- as earnest money. The case is at its nascent stage and requires deeper probe which is possible by custodial interrogation of the petitioner. In case his custodial interrogation is denied to the Investigating Agency, that will leave many glaring loopholes and gaps thereby adversely affecting the investigation. The powers under Section 482 of BNSS are to be exercised in extraordinary and sparing circumstances. Custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section 482 of BNSS. Many useful information can be disinterred during custodial interrogation. It has also to be seen that an order of anticipatory bail does not operate as an inroad in the normal legal procedure of criminal cases by the trial Court. The Court has also to see that an order of anticipatory bail should not operate as inroad in the normal legal procedure of criminal cases by the trial Court. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory



bail by this Court are existing. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

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

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

26th September, 2025

Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |