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

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**CRM-M-50325-2025 (O&M)
Date of decision : 19.12.2025**

Lamberdar Ashwani @ Ashwani

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Ravi Kumar Girdhwal, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 282 dated 27.09.2023 registered under Sections 420, 467, 468 and 471 of IPC at Police Station City Jhajjar, District Jhajjar.

2. The aforementioned FIR was registered on the basis of a complaint submitted by the complainant Mahesh Kumar alleging therein that he had lodged a complaint against Sheelavati, Lalita Devi, Pushpa Devi and petitioner Ashwani Kumar alleging that they had conspired to usurp the land owned by him by committing fraud. Inquiry was conducted by SI Rajbir and it was revealed that the accused Jagmohan in connivance with his wife Lalita Devi had got entered the mutation of land owned by Prabhu Dayal, in the name of his sister Sheelavati @ Sushila Joshi and had then got the said land transferred in favour of his wife Lalita Devi. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on

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21.05.2025. Investigation now stands completed and challan has been filed. The petitioner along with co-accused is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The petitioner, being Lamberdar of the area, has only acted as an attesting witness to the sale deed and affidavit, which was sworn before the revenue officials. He is neither the beneficiary of the transaction nor has received any amount of money from anybody. There is nothing on record to connect the petitioner with the subject offences. The case is based upon documentary evidence. He is in custody since 21.05.2025. He has clean antecedents. The offences are triable by Magistrate. Investigation has since been completed and challan has been filed. Conclusion of trial would take considerable time. Co-accused Sushila Joshi has been granted concession of anticipatory bail by this Court, vide order dated 04.08.2025 passed in **CRM-M-31951-2025**, whereas co-accused Jagmohan and Lalita @ Lalita Devi have been granted similar relief by the Hon'ble Supreme Court. On parity, the petitioner too deserves to be granted concession of bail. It is, therefore, argued that he deserves to be released on regular bail.

4. Status report along with custody certificate has been filed by the respondent-State. It is argued by learned State counsel that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of regular bail.

5. This Court has heard the rival submissions.

6. The petitioner has been designated as Lamberdar of the area concerned and in official discharge of his duties, he had stood as attesting

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witness to the sale deed and the affidavit in question. There is no other allegation against him. He is not shown to have received any amount of money from any of the parties. It will be a matter of trial whether he was involved in commission of subject offences or not. He has clean antecedents. He is in custody since 21.05.2025. Investigation has since been completed and challan has been filed. Conclusion of trial would obviously take considerable time, being Magisterial one. Above named co-accused have been granted concession of anticipatory bail. The case of the petitioner is even on better footing than them. Keeping in view the aforesaid facts and circumstances, this Court is of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

19.12.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No