



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

309 CRM-M-52948-2025
Date of decision: 26th September, 2025

Sudesh Kumar ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

1. The instant one is the second petition 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
249	05.09.2023	Sector-14, Gurugram, District Gurugram, Haryana	419, 420, 465, 467, 468, 471 and 120-B of IPC

His previous petition bearing CRM-M-15396-2025 was dismissed as withdrawn on 29.04.2025.

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of a complaint lodged by the complainant Dharamveer alleging that his father was owner of a plot in Sector 23-23A, Gurugram. All the formalities qua ownership of that plot were completed in favour of his father who died on 15.07.2010. The accused Krishan Lal Bishnoi and Vikas Bishnoi, who were relatives of the complainant and were aware about the factum of death of father of the



complainant, hatched a conspiracy with the co-accused to usurp that plot. The accused Kirta Ram impersonated himself as father of the complainant by forging documents of identity etc. and by representing him as father of the complainant, got registered a conveyance deed qua the above-mentioned plot in the name of accused Rampal Singh Tomar and Nisha Singh. The petitioner along with co-accused Narender Sharma was attesting witness to the affidavits and sale deed as executed in favour of Rampal Singh Tomar and Nisha Singh and in connivance with the accused, had identified the impersonator as father of the complainant. The complainant alleged that even the officials from the office of Tehsildar including the latter had connived with the co-accused and thereby cheated him. After registration of FIR, investigation proceedings were initiated.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in this case. He was not named in the FIR. He is not beneficiary to the transaction. He had attested the documents qua sale of property in good faith without knowing that the original vendor had died. He is in custody since 03.04.2025. His further incarceration would not serve any useful purpose. It is, therefore, urged that the petition deserves to be allowed.

4. While refuting the contentions raised by petitioner's counsel, learned Assistant Advocate General, Haryana has argued that the petitioner was an active participant in the conspiracy hatched with the co-accused to deprive the complainant of the property belonging to his father and to cause wrongful loss of money to him. He had identified the impersonator as father of the complainant while fully knowing that the latter had died. He is



involved in one more case of cheating and forgery and is a habitual offender. There are chances of his committing similar offences or absconding, if extended benefit of bail. It is, therefore, urged that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner in conspiracy with the co-accused is alleged to have got executed/registered a sale deed qua the property belonging to the father of the complainant by identifying the impersonator as the deceased father of the complainant. As per the allegations, he derived benefits to the tune of Rs.50,000/- in lieu thereof. The extent of his involvement in the entire crime has to be assessed only on thorough assessment of the evidence to be produced during trial. He is in custody since 03.04.2025. The case is based on documentary evidence. The subject offences are triable by Magistrate. The trial will take considerable time to conclude. In view of these facts, this Court is of the opinion that the petition deserves to be allowed. Accordingly, the same is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal bonds as well as surety bonds by two sureties in the like amount each to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned and further subject to his abiding by the following conditions:-

- (i) The petitioner will not tamper with evidence during trial.
- (ii) He will appear before the trial Court on each and every date fixed, unless is exempted by specific order of the Court.



(iii) The petitioner shall not commit any offence similar to the offence of which he is an accused.

(iv) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(v) Any infraction shall entail in withdrawal of the benefit granted by this court.

(vi) He shall deposit his passport, if any, with the learned trial Court.

(vii) He will also disclose his present as well as permanent address before the learned trial Court at the time of furnishing of bonds and shall also give copy of his Aadhar Card, PAN Card if any and details of his mobile phone number(s) to the learned trial Court and in case, any change in his address or mobile phone number takes place, then he shall inform about the same to the learned trial Court in advance.

7. In the eventuality of breach of any of the aforementioned conditions, the respondent-State shall be at liberty to move an application seeking cancellation of the bail.

8. 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.

[MANISHA BATRA]
JUDGE

26th September, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*