

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:165769



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CRM-M-53547-2025 (O&M)

Date of decision:28.11.2025

Sukhdev Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Gaurav Vir Singh Behal, Advocate and
Mr. Jugraj Singh Chauhan, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

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 case bearing FIR No.10, dated 30.01.2025, registered under Sections 319(2), 318(4), 338, 336(3), 340(2), 61(2) of the BNS, at Police Station City Zira, District Ferozepur.

2. The aforementioned FIR was registered on the basis of complaint submitted by the complainant – Bogha Singh alleging that he was interested to buy some land and for that purpose, he had contacted accused Satpal Singh, who was a property agent in the month of August, 2024. Accused Satpal Singh and his brother Sukhdev Singh had introduced him with one female by representing that she was Rupinder Kaur wife of Inderjit Singh, resident of village Balkhandi and was interested to sell her land

situated at village Attari. A deal had been struck with the intervention of Satpal Singh, Sukhdev Singh and Satnam Singh to purchase 68 kanals and 01 marla of land of abovesaid Rupinder Kaur for a total sale consideration of Rs.30,25,000/- per acre. Written agreement was executed on 04.10.2024. An amount of Rs.20,40,000/- had been given by the complainant to abovesaid Rupinder Kaur in the presence of the present petitioner and the above named Satpal Singh and Satnam Singh. Sale deed was to be executed and registered on 06.01.2025. Another amount of Rs.9,15,000/- had also been paid by the complainant to the vendor in the presence of the present petitioner. However, no sale deed was executed in his favour and lateron, the complainant came to know that the petitioner in connivance with the above named Satpal Singh, Satnam Singh and one female, who impersonated her as Rupinder Kaur, had played fraud upon him and caused wrongful loss of the aforementioned amount to him. The actual Rupinder Kaur had never agreed to sell her land to him. On the basis of his complaint, the aforementioned FIR was registered. Investigation proceedings were initiated. The petitioner was arrested on 22.07.2025. Co-accused Satnam Singh, Satpal Singh and Rupinder Kaur could not be apprehended and are yet to be arrested.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was simply an attesting witness to the agreement to sell. He is not the beneficiary of any transaction as no money was given to him by the complainant. He was unaware of the fact that the female who had appeared at the time of execution of agreement to sell was not Rupinder Kaur. He is in custody since long. Investigation qua

him stands completed and he is not required for further investigation. The trial will take considerable time to conclude. He has clean antecedents. His further incarceration would not serve any useful purpose. It is, therefore, urged that the petitioner deserves to be released on bail.

4. Status report has been filed.

5. Learned State counsel has argued that there are serious and specific allegations against the petitioner. Co-accused are absconding and there are chances of the petitioner's fleeing or intimidating the witnesses, if extended benefit of bail. Therefore, it is argued that he does not deserve to be extended benefit of bail.

6. This Court has considered the rival submissions made by learned counsel for the parties.

7. The petitioner by hatching a conspiracy with the co-accused is alleged to have cheated the complainant of a sum of Rs.29,50,000/- out of which an amount of Rs.9 lakhs has been returned by the petitioner to the complainant. He is in custody since 25.07.2025. The offences for which he has been challaned are triable by the Magistrate. The trial will obviously take time to conclude since even charges have not been framed as yet. The well settled proposition of law is that bail is the rule and jail is an exception and detention prior to trial should not become punitive. Keeping in view the clean antecedents of the petitioner, period spent by him in custody and the above discussed facts and circumstances, but without meaning to make any comment on the merits of the case, this Court is of the considered opinion that the present petition deserves to be allowed. Accordingly, the same is allowed and the petitioner is ordered to be released on bail subject to his

furnishing personal as well as surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

28.11.2025

harjeet

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No