

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-65243-2024 (O&M)
Date of Decision:-13.1.2025

Gagandeep Singh... Petitioner

Versus

State of Punjab... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Saurav Bhatia, Advocate with
Mr. Sanpreet Singh Kalra, Advocate for the petitioner.

Mr. Prabhdeep Singh Dhaliwal, AAG, Punjab.

FIR No.	Dated	Police Station	Section/s
0155	23.12.2023	Sarabha Nagar, District Police Commissionerate Ludhiana	420, 465, 467, 468, 471, 447, 511, 120-B IPC

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
2. The FIR in question was lodged by Dharamjit Singh, wherein he stated that he had purchased plot No.122, Sunil Park, Village Barewal Awana, Tehsil Ludhiana (West) on 27.02.2010 and the sale deed was registered on 03.03.2010 vide Wasika No.11515 and that the mutation was thereafter also sanctioned in his favour on the basis of said sale deed. The complainant alleged that subsequently he came to know that some persons were raising construction on his property and when he made enquires, he got to know that the persons, who had taken illegal possession of his property and were raising construction, are Sanjay Miglani and his son Nitish Miglani.



3. It is further the case of prosecution that upon enquiries, it transpired that another sale deed dated 23.01.2023 in respect of the same property had been executed in favour of Sanjay Miglani and his wife Taruna by one Lakhwinder Singh, who claimed himself to be owner of the said property on the strength of sale deed stated to be executed in his favour on 11.11.1994 bearing Wasika No.25998.
4. It is further the case of prosecution that as a matter of fact the sale deed dated 11.11.1994 was a bogus document and that Lakhwinder Singh had sold the property further to Sanjay Miglani and Taruna on the basis of said bogus document, which somehow also found its way in the revenue record with the help of some revenue officials. The petitioner is stated have remained posted as Assistant System Manager and is alleged to have scanned the sale-deeds in question, so that the same could be inserted in the record by reflecting the previous date.
5. Learned counsel representing the petitioner submitted that there is no evidence worth credence to establish the complicity of the petitioner and that he is neither the beneficiary of the alleged sale deed in any manner nor has affixed his signatures or processed the documents so as to hold that he had done any act in furtherance of the alleged fraud.
6. On the other hand, learned State counsel submitted that the petitioner had remained posted as Assistant System Manger and was incharge of the private agency, which was hired by the administration for scanning of documents and that the petitioner while posted as such scanned the documents and affixed bar codes, which had infact been generated in respect of some other sale deeds and thus made the dubious documents a part of the official record. It



has been submitted that the petitioner had been working alongwith Kuldeep Singh during the relevant period. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 6 months and 9 days and otherwise stands involved in one more case.

- 7. This Court has considered rival submissions addressed before this Court.
- 8. The evidence collected during the course of investigation does *prima facie* suggest the involvement of the petitioner inasmuch he is stated to have scanned the sale deeds and affixed the bar codes, which were actually generated in respect of some other sale deeds and had uploaded the said dubious documents on the official record so as to extend undue benefit to the beneficiaries named in such sale deeds. However, this Court cannot lose sight of the fact that the petitioner has been behind bars for a substantial period of more than 6 months. Some other identically situated co-accused including Kuldeep Singh have already been granted bail by this Court. Conclusion of trial is likely to consume time inasmuch the trial has not even commenced till date and infact even charges have not been framed. Under these circumstances, further detention of the petitioner will not serve any useful purpose.
- 9. The instant petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
- 10. It is, however, made clear that none of the observations made above shall be construed to be an expression on merits of the main case.

13.1.2025

Geeta/P

(Gurvinder Singh Gill)

Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No