

CRM-M-65759-2025

2025:PHHC:176693



129

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

CRM-M-65759-2025

Rai Singh

....Petitioner

versus

State of Haryana

....Respondent

Date of decision: December 22, 2025

Date of Uploading: December 22, 2025

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Rajesh Garg, Senior Advocate with
Ms. Neha Matharoo, Advocate and
Mr. Mandeep Singh, Advocate for the petitioner.

Ms. Mahima Yashpal Singla, Senior DAG Haryana.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.24 dated 02.07.2025, registered under Sections 167, 218, 420, 120-B of the IPC and Sections 13(1)d & 13(2) of the Prevention of Corruption Act, registered at Police Station ACB, Gurugram, District Gurugram.

2. The gravamen of allegations against the petitioner is that pursuant to a complaint submitted by Mr. Ramcharan Shukla, a social worker and worker of the Aam Aadmi Party from Gurugram, Inquiry No. 09

CRM-M-65759-2025

dated 15.09.2015 was initiated in compliance with the directions issued by the Chief Secretary, Government of Haryana.

The complaint alleged that in the areas of Raisina, Sohna, and Gwal Pahari, located within the Aravalli hill range, certain land mafias and influential individuals, acting in collusion with local revenue officials including Patwaris, Girdawars, and Tehsildars, had carried out large-scale deforestation and leveling of hilly terrain. It was further alleged that the Jamabandi (revenue records) were illegally manipulated by changing the classification of land from “Gair Mumkin Pahar” (uncultivable hill land) to “Gair Mumkin Mod,” “Farm House,” “Gair Mumkin Road,” and “Gair Mumkin Makaanat” (habitation), thereby facilitating its sale to private developers at exorbitant prices.

The investigation revealed that, as per the Jamabandi of Village Raisina for the year 1990–91, land measuring 6612 kanal 07 marla was recorded in the ownership of M/s Ansal Housing and Construction Ltd., Delhi, along with its subsidiary companies. Further, in respect of Khewat Nos. 80 and 82, the Ansal Group and its subsidiaries were found to be owners of an aggregate area measuring 9057 kanal 15 marla, which had been acquired and developed under the Aravalli Ansal Retreat Project for the construction and sale of farmhouses.

It was also found that, according to the Jamabandi for the year 1985–86, the said land was originally recorded as “Gair Mumkin Pahar.” However, while preparing the Jamabandi for the year 1994–95 on the basis of the 1990–91 records, the Rai Singh (*petitioner herein*), who was then

CRM-M-65759-2025

serving as Patwari, illegally altered the nature of the land to “Farm House,” “Gair Mumkin Road,” and “Gair Mumkin Makanat,” without any authority of law and in violation of the prevailing rules.

These unauthorised alterations enabled the transfer and registration of the land in favour of the Ansal Group and its allied companies. Subsequently, roads and farmhouses were constructed on the hilly terrain in contravention of the Aravalli Notification dated 07.05.1992, and the properties were sold commercially, yielding substantial profits.

The investigation further revealed that the Deputy Commissioner, Gurugram, vide order dated 21.06.2006 (Memo No. 2605–06/S), directed restoration of the land classification to “Gair Mumkin Pahar.” Accordingly, corrective entries were made in the Jamabandi for the year 2010–11. However, by that time, the earlier illegal alterations had already facilitated large-scale transfers in favour of private entities.

During the course of the investigation, the petitioner stated that he had prepared the Jamabandi on the basis of earlier Girdawaris, claiming that the land classification reflected the condition found at site. However, he failed to cite any statutory provision or rule authorising him to alter the nature of the land.

The investigation concluded that the petitioner, by abusing his official position and acting in conspiracy with the Ansal Group, deliberately falsified revenue records to confer undue benefit upon private companies, thereby causing wrongful gain to them and corresponding loss to the State exchequer.

CRM-M-65759-2025

3. Learned Senior counsel for the petitioner has argued that the petitioner is in custody since 26.08.2025. Learned Senior counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned Senior counsel has further iterated that assuming *arguendo*, the prosecution version is taken to be correct, the petitioner had recorded *jamabandi* in the year 1994 pertaining to the year 1991 showing the property in question as *gair mumkin makanat*, which had the approval of the concerned senior officer(s). Learned Senior counsel has urged that the petitioner is a man aged 68 years with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature and, thus, the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 01.12.2025 in the Court today, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 26.08.2025 whereinafter investigation was carried out and challan has been presented on 24.10.2025. Total 12 prosecution witnesses have been cited, but none has been examined till date. Indubitable, conclusion of the trial will, but ofcourse, take its own time. The petitioner is a man stated to be 68 years old. The rival contention raised at Bar give rise to debatable issues, which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve

CRM-M-65759-2025

deep into these rival contentions, at this stage, *lest* it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per custody certificate dated 01.12.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 03 months and 06 days, & is not shown to be involved in any other FIR(s).

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

CRM-M-65759-2025

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

December 22, 2025
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No