

2025:PHHC:171667



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-68340-2025
Date of decision: 09.12.2025

RAJENDER SINGH

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

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

Mr. Ved Parkash, Senior DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

The instant first petition has been filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 146 dated 15.07.2025, registered under Section(s) 406/420 of the Indian Penal Code, 1860 at Police Station Nathusari Chopta, District Sirsa, Haryana.

2. Briefly summarized the case of the prosecution as mentioned in the order of the trial court reads thus:-

Briefly, the present case was registered on the complaint of one Dharma Devi (complainant) wife of Krishan Kumar resident of village Gusaiana, made before the police to

the effect that her husband Krishan Kumar is a simpleton and illiterate person and they have constructed a Dhani in the Village. Accused no.1 to 3 (Rajender Kumar (applicant), Sharmila and Vinod Kumar) are their neighbourer in fields, therefore accused no.1-Rajender had brotherhood with the complainant and her husband and due to this the accused no.1 to 3 took undue advantage of the mental state and illiteracy of the husband of complainant and by hatching a conspiracy defrauded the husband of complainant as they took the complainant in the office of Tehsil, Nathusari Chopta for becoming a witness on the loan documents which they intend to take whereas instead of got executing the loan document, the accused persons got executed deed no.1278 dated 08.07.2020 and also got sanctioned mutation no.1320. On 03.06.2024, when the complainant obtained the copy of jamabandi for obtaining loan for buying buffaloes, then she came to know that accused nos.1 to 3 and 5-Ram Niwas in collusion with the officials of Tehsil had got the land of husband of complainant in favour of accused no.2. The cash amount shown in sale deed was never received by complainant or her father and further the cheque no. 1816 amounting to Rs.6,10,000/- of "Dena Bank", vide which the consideration was shown to be passed, was never handed over to complainant or her husband and if the complainant or her husband had sold the land, then they would have handed over the possession of the land but they are still in possession of the land.

She further alleged that they have never sold their land to the accused whereas the accused persons had got transferred their land by telling lie to them. She further alleged that they are still cultivating the land and have constructed therein and when the complainant and her sons talked to accused no.3 and 4 then they stated that they are indulged in becoming witnesses on false sale deed in lieu of accepting money. The complainant thereby sought legal action against the culprits.

3. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the present case. It is contended that the sale deed in question was registered on 08.07.2020 and that the present FIR has been lodged only in the year 2025 nearly five years after the execution of the sale deed. He contends that there are no specific allegations against the petitioner; rather, the FIR contains only vague and general assertions to the effect that the petitioner, along with his daughter-in-law and son lured the complainant's husband to the Tehsil office under the pretext of completing certain KYC documentation, during the course of which his signatures were obtained and the sale deed registered. It is further submitted that the sale deed was executed in favour of the petitioner's daughter-in-law, who thereafter transferred the property to her husband, the petitioner's son. He submits that in the absence of any overt act directly attributable to the petitioner in the execution of the sale deed, his continued incarceration would serve no meaningful purpose in the investigation. Counsel further submits that the co-accused, Ram Niwas who is an attesting witness to the sale deed in question has already been granted the concession

of anticipatory bail by this Court vide order dated 04.12.2025 passed in CRM-M-68211-2025. He also submits that a civil suit titled “Sharmila vs. Dharma Devi” is already pending before the Civil Judge (Junior Division), Sirsa, wherein an order of status quo has been passed. It is further contended that Krishan Kumar, the husband of the complainant has instituted a civil suit seeking a declaration that he is the owner in possession of the land in question and praying for the sale deed dated 08.07.2020 to be declared null and void. The said civil suit is pending consideration before the court.

4. Learned State Counsel does not dispute the aforesaid facts.

5. I have heard learned counsel appearing on behalf of the respective parties.

6. Taking into consideration the aforesaid facts and circumstances including the fact that a civil dispute concerning the very same property is already pending adjudication between the parties; that the FIR has been registered nearly five years after the execution and registration of the sale deed; that no specific overt act is attributed to the petitioner and *ex facie* the allegations against him pertain only to a criminal conspiracy with the co-accused and further bearing in mind that the petitioner has undergone actual custody of more than two months, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

7. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

8. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.
9. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

DECEMBER 09, 2025
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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