



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

CRM-M-12301-2026

Date of decision : 16.03.2026

Krishan Kumar

.....Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Vinod Ghai, Senior Advocate with
Mr. Arnav Ghai, Advocate and
Mr. Tanvir S. Grewal, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

Mr. Viren Sibal, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

1. Present third petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.129 dated 05.03.2025, under Sections 190, 191(2), 303, 318(4), 339, 351(2), 338, 336, 340(2) and 62 of BNS, 2023 (Sections 149, 147, 379, 420, 474, 506, 467, 465, 471, 511 of IPC, 1860) Sections 338, 336, 340(2) of BNS/467, 465, 471 of IPC added later on), registered at Police Station Shahabad, District Kurukshetra, Haryana whereas, charges framed only under Sections 318(4), 329(3), 351(2) and 61 of BNS, 2023 (Sections 420, 447, 506 and 120-B of IPC).

2. Succinctly facts of the case are that the FIR has been lodged on the statement of Akashdeep alleging that he had purchased a plot situated on Kishangarh Road, Shahabad Markanda through a registered sale deed bearing Registration No.2318 dated 27.12.2024 having property ID No.8CBL3757. It is stated that the building material had been kept at



the said plot for the purpose of carrying out further construction. On 21.02.2025 at about 08:00 AM, he claims to have noticed that petitioner's co-accused Kirpal Singh along with unknown persons were attempting to trespass into the said plot with the intention of taking illegal possession of the said plot and removing the building material lying there. It was further stated that when he intervened, he was threatened with dire consequences and the said co-accused, namely, Kirpal Singh also handed over a fake sale deed to him. It was also alleged that upon raising an alarm, several people gathered at the spot, whereupon, the said co-accused Kirpal Singh along with other unknown persons, fled away from the spot carrying the said building material. Hence, request was made to take legal action against the accused. On the registration of the FIR, investigation commenced. The petitioner was arrested on 01.10.2025. He approached the Court of learned Additional Sessions Judge, Kurukshetra, praying for grant of bail, however, after hearing counsel for the parties and finding no merits, the same was declined vide order dated 08.01.2026. Aggrieved by the same, petitioner earlier approached this Court twice by way of filing CRM-M-59807-2025 and CRM-M-67846-2025, however, the same were dismissed vide orders dated 04.11.2025 and 08.12.2025, respectively. Hence, the petitioner is before this Court by way of filing the present third petition.

3. Learned Senior counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. He submits that on the fact of it, it is apparent that the dispute in the present case is totally of civil nature. He submits that even otherwise, the possession of the disputed property is with the complainant. To buttress his arguments, it is contended that regarding the same dispute, a civil suit also pending. He

thus, prays that the petitioner deserves to be granted the concession of



regular bail.

4. Learned counsel for the complainant has opposed the submissions made by learned Senior counsel for the petitioner. He submits that the petitioner is the main accused. He submits that the petitioner is a habitual offender. He submits that the petitioner hatched the conspiracy with the co-accused and thus, regarding one and the same property two different IDs were used which are totally illegal. He contends that the trial is at the initial stage and thus, no case for grant of regular bail to the petitioner is made out.

5. Learned State counsel has also opposed the submissions made by learned Senior counsel for the petitioner. He submits that petitioner is the main accused, however, he does not dispute the fact that the civil suit regarding the same property is also pending. He, on instructions, has submitted that the challan is presented, charges have been framed. He submits that in the overall facts and circumstances of the case, the petitioner does not deserve the concession of regular bail.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the dispute in the present case primarily is of civil nature. Admittedly, the suit for permanent injunction is also pending between the parties. As submitted, charges are already framed.

7. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the cases will take sufficiently long time. However, keeping in view the overall facts and circumstances of the present case, this Court is of the opinion that learned Senior counsel for the petitioner succeeds in making out a case for grant

of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

8. If the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in the present case.

16.03.2026
m.sharma

(RAJESH BHARDWAJ)
JUDGE

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