

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

2026:PHHC:038840



236

CRM-M-12244-2026

Date of decision: 12.03.2026

Date of uploading: 12.03.2026

Ram Parkash Verma

....Petitioner

V/s

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Jai Bhagwan Sharma, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of BNSS 2023 for grant of regular bail to the petitioner in case bearing FIR No.237 dated 04.07.2024 registered for the offences punishable under Sections 120-B, 406, 420 of IPC, at Police Station Faridabad Old, District Faridabad.

2. The case set up in the FIR in question (as set out by the petitioner in the present petition) is as follows:-

*“To the Police Commissioner Faridabad Haryana, subject:-
Complaint against owner of SPR Realtek Marketing Company,
Satish Chopra, Pawan Gupta, Narvir Singh, Samarpal Dagar,
and Ram Parkash Verma regarding committing cheating and
forgery with the complainant and to register FIR against them*

and to take legal action:-we had purchased plots in 2016 from SPR REALTAK through GPA and some of us booked the plots. Till today the accused neither delivered the possession nor returned the money. We have been given emotional consolation. Sir, earlier, seven persons of our group were given plots through EOW, and at that time I was on duty, hence I could not come. You are therefore requested to take proper action and provide the possession of plots. Details 1. Dhananjay Kumar, AIR FORCE STATION AMBALA CANTT PLOT SIZE -110 YARDS, MOB. NO. 7678695240, 2. MAHESH KUMAR AFSTN AGRA PLOT SIZE 100 YARDS (GPA), MOB NO. 9933215087, 3. ANIL KUMAR AZAD AIR FORCE STATION JODHPUR PLOT SIZE 100 YARDS (GPA) MOB NO. 8744863972, 4. BALBIR SINGH S/O HIRA LAL, MOB NO. 9313195491, H. NO. 147, BLOCK G, GALI NO. 06, BADARPUR BORDER NEW DELHI. PLT SIZE 60 YARDS. 5. BRIJ PAL SINGH S/O SH. HIRA LAL ADDRESS AS SAME AS SR. NO. IV, MOB NO. 7042713478 PLOT SIZE 60 YARDS, 6. KAMLA RAWAT W/O SH. MOHAN SINGH RAWAT H.NO. 1090 IIND FLOOR SAKTIKHAND (IV) INDIRAPURAM GAZIABAD, MOB NO. 9999438480, PLOT 60 YARDS (GPA), 7. VIRENDER BHAGAT MOB NO. 9871369614 PLOT SIZE 60 YARDS. Names of owner of the company, 1. Satish Chopra mob no. 9540436272, 2. Ranvir Singh mob no. 9312367226, 3. Samarpal Dagar-9599705735, 4. Ram Parkash Verma 9599705735, Pawan Gupta-9810091557, plot location- Kabulpur, Faridabad Haryana, 6. Sandeep Singh-107 yards, 50000/- 7. Shyam Partap Singh -100 yards-403000/-, 8. Devender Kumar-110 yards-471000/--complaint no. 1545-CP Date- 03.07.2024. after investigation received by post from EOW Central Faridabad and FIR No. 237 dated 04.07.2024 was registered u/s 420, 120-B, 406 IPC at P.S. Old Faridabad. Computerised copies of FIR were sent to higher officers and Ilaqua Magisterate through post.”

3. Learned counsel appearing for the petitioner has submitted that the petitioner is in custody since 30.10.2025. Learned counsel appearing for the petitioner has further submitted the petitioner has been

falsely implicated into the FIR in question. Learned counsel appearing for the petitioner has further argued that the petitioner, who was earlier a Director in SPR Realtak has resigned in the year 2015. Learned counsel appearing for the petitioner has further argued that the FIR in question essentially has civil overtones. Learned counsel appearing for the petitioner has further submitted that the petitioner is aged 74 years. Learned counsel appearing for the petitioner has further submitted that the trial emanating from the FIR in question is magisterial one. Thus, regular bail is prayed for.

4. Learned State counsel opposed the grant of bail to the petitioner by arguing that the allegations raised are serious in nature and, thus, the petitioner does not deserve the concession of regular bail. Learned State counsel seeks to place on record custody certificate dated 11.03.2026 in Court, which is taken on record.

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

5.1. At this juncture, it would be apposite to refer herein to a judgment of the Hon'ble Supreme Court titled as ***Gudikanti Narasimhulu and others vs. Public Prosecutor, High Court of Andhra Pradesh AIR 1978 SUPREME COURT 429***, relevant whereof reads as under:

“10. The significance and sweep of Article 21 make the deprivation of liberty a matter of grave concern and permissible only when the law authorising it is reasonable, even-handed and geared to the goals of community good and State necessity spelt out in Article 19. Indeed, the considerations I have set out as criteria are germane to the constitutional proposition I have deduced. Reasonableness postulates intelligent care and predicates that deprivation of freedom- by refusal of

bail is not for punitive purpose but for the bi-focal interests of justice-to the individual involved and society affected.

11. *We must weigh the contrary factors to answer the test of reasonableness, subject to the need for securing the presence, of the bail applicant. It makes sense to assume that a man on bail has a better chance to prepare or present his case than one remanded in custody. And if public justice is to be promoted, mechanical detention should be close to ours, the function of bail is limited, 'community roots' of the, applicant are stressed and, after the Vera Foundation's Manhattan Bail Project, monetary suretyship is losing ground. The considerable public expense in keeping in custody where no danger of disappearance or disturbance can arise, is not a negligible consideration. Equally important is the deplorable condition, verging on. the inhuman, of our sub-jails, that the unrewarding cruelty and expensive custody of avoidable incarceration makes refusal of bail unreasonable and a Policy favouring release justly sensible.*

12. *A few other weighty factors deserve reference. All deprivation of liberty is validated by social defence and individual correction along an anti-criminal direction. Public justice is central to the whole scheme of bail law. Fleeing justice must be forbidden but punitive harshness should be minimised. Restorative devices to redeem the man, even, through community service, meditative drill, study classes or other resources should be innovated, and playing foul with public peace by tampering with evidence, intimidating witnesses or committing offence while on judicially sanctioned 'free enterprise,' should be provided against. No seeker of justice shall play confidence tricks on the court or community. Thus, conditions may be hung around bail orders, not to cripple but to protect. Such is the holistic jurisdiction and humanistic orientation invoked by the judicial discretion correlated to the values of our constitution.”*

5.2. Further, the Hon’ble Supreme Court in a judgment titled as ***Gurcharan Singh vs. State (UT of Delhi) 1978 (1) SCC 118***, has held as under:-

*“Where the granting of bail lies within the discretion of the **court**, the granting or denial is regulated, to a large extent, by the facts and circumstances of each particular case. Since the object of the detention*

or imprisonment of the accused is to secure his appearance and submission to the jurisdiction and the judgment of the court, the primary inquiry is whether a recognizance or bond would effect that end.”

5.3. Furthermore, the Hon’ble Supreme Court in a judgment titled as ***Sanjay Chandra vs. CBI (2012) 1 SCC 40***, has held as under:

“21. In bail applications, generally, it has been laid down from the earliest times that the object of bail is to secure the appearance of the accused person at his trial by reasonable amount of bail. The object of bail is neither punitive nor preventative. Deprivation of liberty must be considered a punishment, unless it can be required to ensure that an accused person will stand his trial when called upon. The courts owe more than verbal respect to the principle that punishment begins after conviction, and that every man is deemed to be innocent until duly tried and duly found guilty.

22. From the earliest times, it was appreciated that detention in custody pending completion of trial could be a cause of great hardship. From time to time, necessity demands that some un-convicted persons should be held in custody pending trial to secure their attendance at the trial but in such cases, “necessity” is the operative test. In this country, it would be quite contrary to the concept of personal liberty enshrined in the Constitution that any person should be punished in respect of any matter, upon which, he has not been convicted or that in any circumstances, he should be deprived of his liberty upon only the belief that he will tamper with the witnesses if left at liberty, save in the most extraordinary circumstances.”

6. The petitioner was arrested on 30.10.2025 whereinafter investigation was carried out and challan was presented on 23.12.2025. Total 40 prosecution have been cited and it is the conceded position before this Court that none of the prosecution witnesses has been examined till date. It is not in dispute that conclusion of trial will take long time. The petitioner is 74 years and no useful purpose would be served by keeping the petitioner in further detention. It is also not in dispute before this Court that trial emanating from the FIR in question is a Magisterial one. At this

juncture, it would be apposite to refer herein to the *dicta* passed by the Hon'ble Supreme Court *Javed Gulam Nabi Shaikh vs. State of Maharashtra and another, 2024(3) RCR (Criminal) 494*, relevant whereof reads thus:

“18. Criminals are not born out but made. The human potential in everyone is good and so, never write off any criminal as beyond redemption. This humanist fundamental is often missed when dealing with delinquents, juvenile and adult. Indeed, every saint has a past and every sinner a future. When a crime is committed, a variety of factors is responsible for making the offender commit the crime. Those factors may be social and economic, may be, the result of value erosion or parental neglect; may be, because of the stress of circumstances, or the manifestation of temptations in a milieu of affluence contrasted with indigence or other privations.

19. If the State or any prosecuting agency including the court concerned has no wherewithal to provide or protect the fundamental right of an accused to have a speedy trial as enshrined under [Article 21](#) of the Constitution then the State or any other prosecuting agency should not oppose the plea for bail on the ground that the crime committed is serious. [Article 21](#) of the Constitution applies irrespective of the nature of the crime.”

The rival contentions of the learned counsel for the parties; as to the whether the petitioner has been falsely implicated into the FIR, shall be gone into during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage lest it may prejudice the rights of either of the parties. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the remaining prosecution evidence.

7. As per the custody certificate dated 11.03.2026 filed by the learned State counsel, the petitioner has suffered incarceration for 4 months & 13 days and is stated to be involved in multiple other FIRs/criminal complaint(s). However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586***; a Division Bench judgment of the Hon'ble Calcutta High Court in case of ***Sridhar Das v. State, 1998 (2) RCR (Criminal) 477*** & judgments of this Court in ***CRM-M No.38822-2022*** titled as ***Akhilesh Singh v. State of Haryana***, decided on 29.11.2021, and ***Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191***.

Suffice to say, the further detention of the petitioner in custody is not required in the facts and circumstances of the case.

8. In view of above, the petition in hand is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned 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/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

9. 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.

10. Ordered accordingly.

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

12. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

March 12, 2026
Naveen

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