



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

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**CRM-M No.13211 of 2026
Date of decision : 21.4.2026
Date of uploading : 22.4.2026**

Raj Singh**Petitioner**
Versus
State of Punjab**Respondent**

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Prince Goyal, Advocate, for the petitioner
Mr. Jaypreet Singh, DAG, Punjab

SUMEET GOEL, J. (ORAL)

1. 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.225 dated 8.8.2025 under Sections 420, 406, 120-B of the IPC, registered at Police Station Civil Lines Bathinda, District Bathinda.

2. The gravamen of the FIR in question is that present case has been registered on the basis of application bearing no. 57/Kotwali/25 dated 11.02.2025 and PGD complaint no. 526966 dated 11.02.2025 moved by the Ram Saroop son of Darshan Kumar resident of Bathinda against Ranjit Singh son of Nachhattar Singh resident of village Ablu Kotli to SSP, Bathinda which was marked to DSP-I, Bathinda for further inquiry/investigation. The said application was moved on the allegations that 4 persons namely Kabir Singh son of Nar Singh, Gurpiar Singh son of



Mukhtiar Singh, Sarabjit Kaur wife of Harbinder Sindh had jointly purchased 8 acres of land from accused Ranjit Singh son of Nachhattar Singh resident of Kothe Hazure Wala Ablu Kotli on 06.03.2023 at the rate of Rs.24.25,000/- per acre and the Fard was cleared at that time. The earnest/token money of Rs.56,72,000/- was given in three installments at different times and in the presence of witnesses and it was agreed to execute the registry/sale deed on 21.01.2024. The complainant has further averred that they asked Ranjit Singh to execute the registry/sale deed in the month of August 2023 and he took a new Fard and a Rapat regarding the stay in the name of Angrej Kaur Jeeda village had been incorporated in it, as per the court order. When the complainant talked to Ranjit Singh about this, he asked for some time that he would get the Rapat released and instead of releasing the Rapat. 7-8 more Rapats were registered/incorporated in the Revenue Department. Seeing that the day of execution of sale deed/registry i.e. 21.01.2024 was to be closed, Ranjit Singh in connivance with the partners of complainant has extended the time for agreement to sell and the complainant in connivance with each other had again extended the time of agreement to sell and the complainant did not agree with the same. The complainant has further averred that they four partners moved one application to SSP Bathinda which was marked to EO Wing. Where Ranjit Singh did not agree with the same. Due to this, complainant does not put his signature anywhere in the extended agreement to sell. Complainant got his presence marked on the fixed date at Sub Tehsil Doda, a copy of same is attached. After this,



Ranjit Singh and his village witness and the partners were called and he appeared with the village member and Raju Nambardar started saying that Baldev Singh who is his co-villager is buying his land for Rs.28.50 Lakhs and he will give them the money at the rate of 28 lakh 50 thousand uptill one month and he also recorded his statement there, a copy of same is attached. The complainant has further averred that they trusted upon Ranjit Singh and withdrew their application. When the month passed, he did not return the money to the complainant party and he said in the panchayat that his daughter has gone to Canada and he have asked her for 225000 USD dollars, regarding which he also sent a screen shot in his mobile which was fake. On inquiry, the complainant found that such a huge amount of money cannot be remitted from abroad through a bank. Finally, accused Ranjit Singh after in connivance with the partners of the complainant and witnesses committed breach of trust and partners of the complainant handed over the agreement to sell to Ranjit Singh and got their money back along with interest. Same is attached. The complainant has further averred that they trusted upon. At that time, complainant was out of station (Salasar) and when the complainant asked Ranjit Singh after returned back then he said that he will return the money to him after few days but Ranjit Singh neither return the money to the complainant nor to execute the sale deed/registry of one acre as per share of complainant in the name of complainant and on these averments the present case stands registered against the accused/applicant and his co-accused.

3. Learned counsel for the petitioner has argued that the petitioner



is in custody since 12.11.2025. Learned counsel has further submitted that, assuming *arguendo*, the prosecution version is taken to be correct, the role ascribed to the petitioner is that of being attesting witness to agreement to sell in question. Learned counsel has further argued that the seller Ranjit singh has been afforded the concession of anticipatory bail by the Hon'ble Supreme Court vide order dated 27.1.2026 passed in SLP (Criminal) No.17971 of 2025. Learned counsel has further submitted that the petitioner is a man aged 57 years and does not keep very good health. Learned counsel has further submitted that the petitioner has suffered incarceration for more than 5 months and is not involved in any other case. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised 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 20.4.2026 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.

6. The petitioner was arrested on 12.11.2025 wherein after investigation was carried out and challan was prepared on 8.1.2026 and subsequently filed on 10.1.2026. It is not in dispute that total 18 prosecution witnesses have been cited but none has been examined till date. It is thus indubitable that culmination of trial will take its own time.

The rival contentions 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 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.

7. 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."*

7.1 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."*

7.2 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."*

8. As per custody certificate dated 20.4.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 5 months and 7 days & is not shown to be involved in any other case.

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

9. 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/Illaqa Magistrate.

(vii) The petitioner shall not in any manner try to delay the trial.

10. 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.

11. Ordered accordingly.

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

(SUMEET GOEL)
JUDGE

21.4.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No