

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-31824-2026
Decided on : 03.07.2026

DEVRAJ @ DEV RAJ

.....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. K.S. Nalwa, Senior Advocate, with
Ms. Savita Rana, Advocate,
for the petitioner.

Mr. Vipul Sherwal, AAG, Haryana.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Devraj @ Dev Raj, aged about 80 years	45	30.01.2025	471, 467, 468, 420, 406, 120-B of IPC [corresponding to sections 340(2), 338, 336(3), 318(4), 316(2), 61 of BNS]	Civil Lines	Karnal



2. Brief facts of the present case, as discussed in the order dated 06.05.2026, passed by learned Additional Sessions Judge, Karnal (Annexure P-2), are reproduced here under:-

“The brief facts of the prosecution case are that on 29.01.2025 a written complaint against Chirag, Anil and Anil’s wife was received in the police station from the office of Superintendent of Police, Karnal with the subject of lodging FIR against them and their companions on the ground of got registering the property in their name on the basis of fake documents. The complainant alleged that he obtained the copy of sale deed No. 11693/1 dated 16.02.2025 through RTI and then he got to know that the property ID No. IE8P8944 of Village Mukarampur, Karnal was registered in the name of one Suresh Chand son of Dharampal vide aforesaid sale deed No. 11693/1 dated 18.02.2005, whereas the aforesaid sale deed pertain to the area of Village Kailash, in which the mobile number of someone else has been recorded instead of Suresh Chand. The complainant further alleged that on obtaining the copy of sale deed no. 11693/1, it came to light that the said property was actually in the name of one Krishan Kumar son of Dariyao Singh instead of Suresh Chand and the area of property pertains to Village Kailash. The complainant further alleged that Suresh Chand had also submitted his complaint and affidavit in Municipal Corporation, Karnal vide diary no. 814 dated 16.02.2024, in respect of entering of wrong ID in his name and further, said Suresh Chand had also filed a case in the Court for cancellation of sale deed Nos. 9847/1, 9849/1 dated 27.12.2023 and the supplementary sale deed No. 11215/1 dated 09.02.2024. The complainant further alleged that said Suresh Chand was not the owner of plot No. 133, Street No. 6 of Mukarampur whereas in sale deed No. 9847/1 the said property was registered in the name of Chirag Malik from Suresh Chand and the cheque No. 228667 was never encashed in the account of Suresh Chand. In this regard, Suresh Chand had submitted complaints against the accused persons and also filed a case in the Court. The complainant also alleged that he had purchased one plot No. 133 measuring 100 sq. yards from one Satnam against full payment agreement but on the basis of fake document, the



accused persons are trying to grab his plot. The complainant further alleged that on 02.12.2024 he visited his plot for raising construction, then Anil's wife and other females abused and threatened him that if he ever come there then he would be killed. The complainant also filed a civil suit No. 2670 of 2024 titled as "Satnam Vs. Chirag Malik". Hence, the complainant prayed for taking legal action against the culprits. Hence, the above FIR."

3. Learned Senior Counsel for the petitioner submits that petitioner is about 80 years of age and has never been found involved in any similar activity in the past. It is further submitted that petitioner is merely an attesting witness to the disputed sale deed, and there is no allegation that he attested the document knowing that the executant was not the actual owner or seller. Therefore, no culpability can be attributed to the petitioner.

4. Learned Senior Counsel further submits that seller was initially arrayed as an accused in the complaint; however, he subsequently passed away. It is further contended that although, purchaser was also named as an accused in the complaint, but he was not arrayed as an accused at the time of registration of the FIR.

It is further submitted that investigation has been completed and *challan* has already been presented before the competent Court. Offences alleged are triable by the Court of learned Magistrate, and conclusion of trial is not likely in the near future. Petitioner is in judicial custody since 24.03.2026, and no useful purpose would be served by prolonging his incarceration any further. Thus, learned Senior Counsel prays for grant of regular bail to the petitioner in the present case.



5. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the status report dated 01.07.2026 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

6. Learned State counsel, while opposing the prayer for grant of regular bail and submissions advanced on behalf of the petitioner, submits that petitioner is involved in a serious offence. It is contended that petitioner is an attesting witness to the disputed sale deed, despite the fact that executant was not the actual owner of the property.

It is further submitted that only petitioner's mobile number was mentioned in the relevant record, on the basis of which seller projected himself as owner of the property and executed the sale deed in favour of the purchaser, to which petitioner stood as an attesting witness. Thus, it is argued that petitioner is not entitled to the concession of regular bail.

7. This Court has heard the learned counsel for the parties and has perused the record available before it.

8. *Prima facie*, it would be a matter to be examined during trial whether petitioner, who is about 80 years of age, merely identified the executant or acted only as an attesting witness to the execution of the sale deed. At this stage, learned State counsel has not been able to point out any material indicating that petitioner derived any monetary benefit from the alleged transaction.



Furthermore, investigation stands concluded and *challan* has already been presented. Offences alleged are triable by the Court of learned Magistrate, and conclusion of the trial is not likely in the near future. Petitioner is in custody since 24.03.2026. His continued incarceration, particularly considering his advanced age of about 80 years, may adversely affect his rights. Petitioner is also entitled to the benefit of the special consideration, envisaged under Section 480 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).

9. Keeping in view the totality of circumstances, nature of the allegations, stage of the proceedings, period of custody undergone by the petitioner, and the factors noticed here above, this Court deems it appropriate to grant the concession of regular bail to the petitioner in the present case.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an



independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

12. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

03.07.2026
Lavisha

Whether Speaking/Reasoned: YES/~~NO~~
Whether Reportable: ~~YES~~/NO