

**CRM-M No.36628 of 2025;
CRM-M No.59784 of 2025**

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

CRM-M No.36628 of 2025

Nitin

..... Petitioner

Versus

State of Haryana

..... Respondent

CRM-M No.59784 of 2025

Narbir @ Narbir Huda @ Narbir Singh Hudda

..... Petitioner

versus

State of Haryana

..... Respondent

Date of Decision: 20.05.2026

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Dr. Pankaj Nanhera, Senior Advocate with
Mr. Sachin Jangra, Advocate and
Ms. Ishita Arora, Advocate
for the petitioner in CRM-M-36628-2025.

Mr. P. S. Ahluwalia, Senior Advocate with
Mr. Akash Vashisth, Advocate and
Ms. Isha Mehta, Advocate
for the petitioner in CRM-M-59784-2025.

Mr. Tanuj Sharma, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. By this order, I dispose of the above mentioned two
petitions arising out of the same FIR.



2. Both the petitions have been filed praying for the grant of regular bail to the petitioners in case bearing FIR No.394, dated 16.10.2024, under Sections 419, 420, 467, 468, 471, 120-B of IPC, registered at Police Station City Sohna, District Gurugram, Haryana.

3. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Manoj against the accused, who by preparing the bogus GPA, executed the sale deed of his land. It was alleged that Nitin (petitioner in CRM-M-36628-2025), Vikki, Rasid Khan, Subhash Rathi, Shri Chand, Tarun and others had entered into a criminal conspiracy to sell the plot of the complainant and had fraudulently executed the sale deed No.863. It was alleged that a Civil Suit bearing No.173/2021 titled as Jai Prakash vs. Manohar is also pending before the learned trial Court and the stay was also granted vide order dated 20.09.2022. It was alleged that on 16.05.2024, when the complainant visited Halqa Patwari in order to take Jamabandi and Intqal of his land, then he came to know about the fabricated sale deed bearing No.863 dated 23.04.2024 and GPA No.929 dated 20.04.2024 registered in the office of Sub Registrar Dehradun in favour of Nitin regarding his land. It was further alleged that on 19.05.2024 and 21.05.2024, the complainant received a telephonic call from Jai Prakash, who threatened the complainant to withdraw his complaint from the Tehsildar. Thus, the complainant gave complaint dated 15.05.2024 qua the same incident but no action has been taken on the same. The complainant also filed a complaint before the Police Station Sohna on 22.05.2024 and thereafter,



on the basis of the complaint, the present FIR was registered. On registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner, namely, Narbir @ Narbir Huda @ Narbir Singh Huda (in CRM-M-59784-2025) surfaced and thus, he was arrayed as an accused in the present case. Resultantly, both the petitioners were arrested on 11.03.2025 and 19.08.2025. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioners approached the Court of learned Additional Sessions Judge, Gurugram praying for the grant of regular bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Gurugram declined both the bail applications filed by the petitioners vide orders dated 23.06.2025 and 09.10.2025. Hence being aggrieved, the petitioners are before this Court by way of filing the present petitions praying for the grant of regular bail.

4. Learned Senior Counsels for the petitioners have contended before this Court that the petitioners have been falsely and frivolously implicated in the present case. They have submitted that the FIR has been lodged primarily on the allegations that the land pertaining to the complainant, namely, Manoj, has been sold in a fraudulent manner by way of impersonation. They have submitted that during the investigation, the petitioners have been roped in the present case and the allegations against the petitioner, namely, Narbir @ Narbir Huda @ Narbir Singh Hudda is to the effect that he facilitated the sale of the land

whereas the allegation against the petitioner, namely, Nitin, is that the GPA was executed in his favour. They have submitted that on the basis of the GPA, the sale deed had taken place on 23.04.2024, however, the same was subsequently cancelled on 03.04.2025. They have submitted that the allegations made against the petitioners are false and frivolous, even otherwise, the whole case of the prosecution is based on the documentary evidences. They have submitted that the petitioner, namely, Nitin, is behind bars from last more than 1 year whereas the petitioner, namely, Narbir @ Narbir Huda @ Narbir Singh Hudda is behind bars from last more than 09 months, however, there is no material progress in the trial. They have submitted that the charges in the present case have been framed but the complainant is intentionally not appearing before the learned trial Court so as to prolong the incarceration of the petitioners. To buttress their arguments, they have submitted that the petitioners have no criminal antecedents as they have never been involved in any other case. They have submitted that in the facts and circumstances, the petitioners deserve to be granted regular bail.

5. *Per contra*, learned State counsel has vehemently opposed the submissions made by learned Senior counsels for the petitioners. He has submitted that the petitioners have played an active role in the commission of offence. He has submitted that the petitioners are the beneficiaries of the transaction of the land, which has taken place in a fraudulent manner. He, on instructions, has submitted that out of total 36 prosecution witnesses, 05 witnesses have been examined so far. He has

produced custody certificates of both the petitioners today in the Court, which are taken on record.

6. This Court has heard learned counsel for the parties and perused the record with their able assistance.

7. After hearing counsel for the parties and perusing the record, it is deciphered that the allegations against the petitioner, namely, Nitin was to the effect that GPA was executed in his favour, whereas the petitioner, namely, Narbir @ Narbir Huda @ Narbir Singh Huda has been alleged to have facilitated the amount by selling the land. The sale deed which has taken place on the basis of the GPA in favour of Subhash Rathi has already been cancelled on 03.04.2025. Out of 36 prosecution witnesses, 05 witnesses have been examined so far. The petitioners are behind bars since the date of their arrest, i.e. 11.03.2025 and 19.08.2025. Custody certificates produced would show that the petitioner, namely, Nitin has suffered an incarceration of 01 year and 02 months whereas the petitioner, namely, Narbir @ Narbir Huda @ Narbir Singh Huda has suffered an incarceration of 09 months and 02 days as on 18/19.05.2026. It further reflects that the petitioners are not involved in any other case.

8. This Court would refrain itself from commenting anything on the merits of the case. The arguments and counter arguments as raised before this Court would be assessed by the learned trial Court on the appreciation of the evidences led by both the sides, however, keeping in view the custody of the petitioners and their antecedents, this Court is inclined to grant bail to the petitioners.

9. The veracity of the allegations would be assessed only after



the 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 case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned Senior counsels for the petitioners succeed in making out a case for grant of regular bail to the petitioners.

10. Accordingly, both the petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

11. Nothing said herein shall be treated as an expression of opinion on the merits of the cases.

20.05.2026		(RAJESH BHARDWAJ)
<i>rittu</i>		JUDGE
	Whether Speaking/Reasoned :	Yes/No
	Whether Reportable :	Yes/No