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

CRM-M No.38683 of 2025

Date of Decision: 24.03.2026

Surender Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Bhanu Pratap Singh, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

RAJESH BHARDWAJ, J.

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.226, dated 21.09.2024, under Sections 420, 467, 468, 471, 120-B of IPC, registered at Police Station City Thanesar, District Kurukshetra.

2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Vishwanath, s/o Rameshwar. It was alleged that the petitioner had mortgaged the land in village Hathira with the forefathers of the complainant in the year 1835 and since then, the forefathers and after their death, complainant has been cultivating the said land and entry in this regard has also been continuing in the Jamabandi and girdawari. It



was alleged that co-accused, Ishwar Chand in collusion with all other accused got made a Sale Deed on 01.05.2024 on the basis of false facts by referring to the Jamabandi for the year 2020-2021 and has got it mentioned that the land is free from all kinds of encumbrances, mortgage, etc. It was alleged that it was written that this land was mortgaged with the complainant but the accused in connivance with the employees of the Tehsil office have tried to usurp the land of the complainant by fraudulently preparing a false Sale Deed. It was alleged that after preparing the false Sale Deed, all the accused persons want to forcibly take possession of the alleged land from the complainant. The complaint requested the accused persons several times not to take the law into their own hands but the accused instead of listening to the complainant, threatened to kill them and occupied his land. Thus, the request was made to take legal action against the accused. On the basis of the same, FIR was registered. On registration of the FIR, the investigation commenced. Resultantly, the petitioner was arrested on 23.01.2025. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Kurukshetra 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, Kurukshetra declined the bail application filed by the petitioner vide order dated 14.05.2025. Hence being aggrieved, the petitioner is



before this Court praying for the grant of regular bail by way of filing the present petition.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He has submitted that the petitioner had transferred the property in favour of the co-accused, namely, Ishwar Chand. He has submitted that the petitioner and other co-accused are not interfering in the possession of complainant. He has further submitted that co-accused, namely, Ishwar Chand has already been granted bail by the learned trial Court vide order dated 06.03.2025 and co-accused, namely, Deputi Kumar has been granted the concession of anticipatory bail by this Hon'ble Court vide order dated 26.05.2025 passed in CRM-M-9696-2025. He has submitted that the petitioner is behind bars since 23.01.2025 and has suffered an incarceration of more than 01 year, however, there is no material progress in the trial. To buttress his arguments, learned counsel for the petitioner has submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. He has further submitted that the dispute in the present case is of civil nature, which has been given a colour of criminal nature. He has submitted that in the facts and circumstances, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned counsel for the State, however, has vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that complicity of the petitioner has been *prima facie* established during the investigation. He has submitted that



the allegations made against the petitioner are serious in nature. He has prepared a forged sale deed of the land in dispute and also procured the signature of dead person, namely, Joginder Singh. He has submitted that the petitioner has further sold the said land to some other person. He has submitted that in all there are 07 accused in the present FIR, however, 02 of the accused are on bail and 03 have been arrested. He, on instructions, has submitted that out of total 14 prosecution witnesses, no witness has been examined so far. He has further submitted that no case for the grant of bail to the petitioner is made out and thus, the present petition deserves to be dismissed.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that complicity of the petitioner in the present case has been *prima facie* surfaced during the investigation. The petitioner along with the co-accused had prepared a forged sale deed of the land in dispute. The petitioner is also involved in the transaction in which, he procured the signature of the dead person, namely, Joginder Singh and further sold the land to some other person. 02 of the co-accused have still not arrested. The petitioner is stated to be the main accused and the allegations against him are serious in nature. Out of total 14 prosecution witnesses, no witness has been examined so far.

8. Keeping in view the above said position, this Court does not find any ground to release the petitioner on bail at this stage. Hence, the present petition is hereby dismissed.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

24.03.2026

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(RAJESH BHARDWAJ)

JUDGE

Whether speaking/reasoned :

Whether reportable :

Yes/No

Yes/No