



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

CRM-M No.43979 of 2025 (O&M)

Reserved on:20.01.2026

Pronounced on: 31.01.2026

Bhajan Singh @ Bhajan Lal

.....Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present: Mr. Hitesh Verma, Advocate the petitioner.

Ms. Deepali Verma, AAG, Haryana.

SURYA PARTAP SINGH, J. (Oral):

For the commission of offence punishable under Sections 420, 467, 468 and 471 of Indian Penal Code, hereinafter being referred to as 'IPC', the FIR No.873 dated 07.11.2023 has been lodged in Police Station Civil Line Sirsa, District Sirsa. The petitioner has been arrested in the above mentioned case as an accused. Since the petitioner is in custody, he has filed the present petition for bail. This is Ist petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023.

2. Briefly stating the facts emerging from record are that, that in a trial being conducted by the Chief Judicial Magistrate Sirsa, the accused 'Pargat Singh' was released on bail on 01.08.2022 on furnishing bail bonds by the above named accused and surety 'Mahabir Singh'. Subsequently, on 25.09.2023 when 'Pargat Singh' did not appear before the learned trial Court



his bail was cancelled bonds were forfeited and his warrant of arrest was issued. In the above mentioned process the order for notice to surety 'Mahavir Singh' was also passed. In response to above mentioned notice surety 'Mahavir Singh' appeared in the Court on 02.11.2023 and got recorded his statement stating therein that he had never furnished surety bond for 'Pargat Singh', and that, in fact, the accused in that case namely 'Pargat Singh' was not even known to him. It was also stated by the above named surety, namely 'Mahavir Singh' that although the revenue record attached with surety bond was of his property, but neither the copy of the same was supplied by him to anybody nor he had procured any such copy from the revenue record.

3. It is the case of the prosecution that in the light of above mentioned events the learned Chief Judicial Magistrate wrote a letter to SHO concerned, and thus, the above mentioned FIR came into being. With regard to petitioner there are allegations that the person, who impersonated as 'Mahavir Singh' before the Court, was identified by the petitioner, being numberdar of the village, and thus, he was responsible for the commission of above mentioned offence.

4. Notice of motion.

5. The learned State Counsel has filed custody certificate of the petitioner. The same be taken on record.

6. Reply by way of affidavit of Deputy Superintendent of Police (Traffic), Sirsa is already on record.

7. Heard.

8. It has been contended on behalf of the petitioner that petitioner is



innocent, who has been falsely implicated in the present case, and that the role attributed to the petitioner in the commission of offence is minor in nature as neither it has been alleged that the petitioner was responsible for creation of false documents attached with the bail bond nor he was beneficiary of the alleged benefit. According to learned counsel for the petitioner merely on the ground that he had identified the person, who had impersonated himself before the Court as 'Mahavir Singh', the petitioner is being subjected to prolonged incarceration.

9. In addition to above, the learned counsel for the petitioner has also argued that the petitioner is an old aged person suffering from various disease such as heart ailments, diabetes, hypertension and prostatomegaly. As per learned counsel for the petitioner the entire evidence to be produced before the learned trial Court is documentary in nature, and therefore, there is no apprehension that on release on bail, the petitioner will be in a position to tamper with the evidence. While claiming that the progress in the trial is very slow, on the ground of prolonged incarceration and ailment the benefit of bail has been sought for the petitioner.

10. The learned State counsel has controverted the above mentioned arguments. According to learned State counsel the instant case is a case wherein the very foundation of the criminal judicial system has been put at stake by the petitioner, and that the role of the petitioner was one of the most crucial role in the instant case as the Court believed his identification because as per usual practice it was only the petitioner whose false identification was responsible for impersonation of a third person as 'Mahavir Singh'. While



arguing that a person who himself played fraud with the judicial system is not entitled for a lenient view, the learned State counsel has contended that otherwise also there is no delay in the trial in the present case as the total custody period of petitioner is only 7 months (approximately). It has also been pointed out by learned State counsel that otherwise also the past conduct of the petitioner is not clean as he is facing similar type of prosecution in three other cases also. As per learned State counsel, in fact, the role played by the petitioner in the commission of above mentioned act amounts to interference in the administration of justice.

11. The record has been perused carefully.

12. A perusal of record shows that the allegations against the petitioner are quite specific and serious that with an intention to play fraud with the Court, while getting the accused released on bail, the petitioner had identified a wrong person who had furnished the surety bonds. The entire sequence of events shows that without active involvement of the petitioner, commission of offence would not have taken place. In fact, the criminal justice system with regard to release of an accused on bail heavily relies upon the identification of the surety by the identifier and the role attributed to the petitioner is of identifier only. In my considered opinion if a lenient view is taken for the petitioner it may shatter the very foundation of the system of furnishing bonds in the Court. The past conduct of the petitioner also shows that similar type of prosecution he is being faced by him in three different cases, which shows that the petitioner is a habitual offender. It is also relevant to observe that total period of custody as depicted in custody certificate cannot



be treated to be a period of prolonged incarceration.

13. In view of above mentioned observations it is hereby held that the petitioner is not entitled for the benefit of bail. Hence finding no merit in the present petition the same is hereby **dismissed**. However, in view of medical condition of the petitioner the learned trial Court is hereby directed to conduct trial, in the above mentioned case, expeditiously, and dispose of the same (finally) within a period of 6 months from the date of receipt of copy of this order.

(SURYA PARTAP SINGH)
JUDGE

31.01.2026
Manoj Bhutani

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