



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

CRM-M No.54266 of 2025 (O&M)

Reserved on:20.01.2026

Pronounced on: 31.01.2026

Seema

.....Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present: Mr. J.S.Dhaliwal, 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, she 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 co-accused and surety 'Mahavir 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 for the purpose of getting the main accused 'Pargat Singh' released on bail by impersonation, she got issued jamabandi of 'Mahavir Singh', and thus, she 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. Heard.

7. 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 bonds nor that she was beneficiary of the alleged benefit. According to learned counsel for the petitioner merely on the ground that she had obtained jamabandi for lawful purpose, not for fraudulent activities, the petitioner is being subjected to prolonged incarceration.

8. In addition to above, the learned counsel for the petitioner has also argued that 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 position to tamper with the evidence. It has also been contended by learned counsel for the petitioner that no *mens rea* is attributable to the petitioner, if any, fraud has been played with the Court. While claiming that the progress in the trial is very slow on the ground of prolonged incarceration the benefit of bail has been sought for the petitioner.

9. 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 she lured her co-accused 'Bhajan Singh' to identify the fake surety and provided him documents to support the surety bond. As per learned State counsel, it was only the petitioner whose false documents was responsible for impersonation of a third person as 'Mahavir Singh'. While arguing that a person who herself 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 of the present case as the total custody period of petitioner is only 5 months (approximately). 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 and that she was active participant of the fraud played with the Court.

10. The record has been perused carefully.

11. 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 procured revenue record, i.e. jamabadi of the land pertaining to 'Mahavir Singh'. The entire sequence of events shows that without active involvement of petitioner such type of commission of offence was not possible, at all. If she had not participated in the commission of crime there would not have been any document in support of the bail bonds and the offence could not have been committed. In fact, as per prevailing practice the criminal justice system, with regard to release of an accused on bail, relies upon the document filed in support of surety bond, and the role attributed to the petitioner is of creator of false document. 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. It is also relevant to observe that the total period of custody as depicted in custody certificate cannot be treated to be a period of prolonged incarceration.



12. 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**.

(SURYA PARTAP SINGH)
JUDGE

31.01.2026
Manoj Bhutani

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