



CRM-M-61985-2025

-1-

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

CRM-M-61985-2025

Date of Decision: 17.03.2026

Sukhwinder Singh Patwari

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. J.S. Sandhu, Advocate, for the petitioner.

Mr.Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.143 dated 19.06.2017, registered under Sections 420, 465, 467, 468, 471 and 120-B IPC, at Police Station Bhikhiwind, District Tarn Taran.

2. Succinctly facts of the case are that FIR in the present case was lodged against the petitioner on the basis of the inquiry conducted by District Revenue Officer, Tarn Taran, with respect to certain discrepancies, interpolations and fabrication in the revenue record pertaining to village Bhagwanpura, village Mari Gaur Singh and village Kazi Chak. Sukhwinder Singh was posted at village Bhagwanpura and it was found that in the Jamabandi for the year 2009-2010, fictitious Khasra numbers had been entered, on the basis of which loan of Rs. 90 Lacs was raised from Allahabad Bank, Patti. Accused Sukhwinder Singh was held responsible for making the said fabrication and interpolation in the revenue record, thereby, causing loss of Rs. 90 Lacs to Allahabad Bank, Patti. On the basis of the inquiry conducted, the FIR was registered and investigation commenced.



CRM-M-61985-2025

-2-

The petitioner was arrested on 25.03.2023. He approached the Court of learned Additional Sessions Judge, Tarn Taran, for the grant of regular bail. However, learned Court after hearing both the sides, finding no merit in the petition filed by the petitioner, dismissed the same vide order dated 13.05.2025. Earlier, the petitioner approached this Court thrice by way of filing CRM-M-24385-2023, CRM-M-8624-2024 and CRM-M-41514-2024, however, the same were dismissed by this Court, vide orders dated 22.08.2023, 14.03.2024 and 12.11.2024, respectively. Hence, aggrieved by the same, the petitioner is again before this Court by way of filing the present fourth petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He contends that the petitioner was a Patwari and he retired in the year 2019. He submits that the FIR in the present case was registered on 19.06.2017, and thereafter, the petitioner was arrested on 25.03.2023. He submits that the petitioner has suffered incarceration of about three years and all the material witnesses already stand examined. He submits that there is no probability of the petitioner influencing the prosecution witnesses. He submits that the petitioner is the only accused, who is behind the bars as co-accused have already been granted bail in this case. He, thus, submits that in the overall facts and circumstances of the case, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner while in service had committed the offence as alleged. He submits



CRM-M-61985-2025

-3-

that the petitioner is a habitual offender, who has been implicated in four other case and in one case he has convicted as well. On instructions, he submits that out of 13 prosecution witnesses, 09 witnesses have been examined so far. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner was arrested in this case on 25.03.2023. Co-accused are stated to be on bail. As per the custody certificate of the petitioner, he has completed incarceration of 02 years, 11 months & 16 days as on 16.03.2026. It further shows that the petitioner has been prosecuted in four other cases, however, he is on bail in three cases whereas in one case he has been acquitted. Speedy trial to the petitioner despite his involvement in multiple cases cannot be taken away.

6. The Hon'ble Supreme Court in Ashim @ Asim Kumar Haranath Bhattacharya @ Asim Harinath Bhattacharya @ Aseem Kumar Bhattacharya Vs. National Investigation Agency, 2022(1) SCC 695 has held as under:

“Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21 of the Constitution of India. While deprivation of personal liberty for some period may not be avoidable, period of deprivation pending trial/appeal cannot be unduly long. At the same time, timely delivery of justice is part of human rights and denial of speedy justice is a threat to public confidence in the administration of justice.”

7. The Hon'ble Supreme Court in a recent decision dated 03.07.2024 in Javed Gulam Nabi Shaikh Vs. State of Maharashtra, Criminal Appeal No. 2787 of 2024, has held that howsoever serious a

crime may be, an accused has the right to speedy trial under the Constitution of India.

8. 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 counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

9. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

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

17.03.2026

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Whether Speaking/Reasoned :

Whether Reportable :

(RAJESH BHARDWAJ)

JUDGE

Yes/No

Yes/No