



CRM-M-62536 of 2025

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

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Date of Decision: 21.01.2026

Satpal

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Ketan Antil, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Haryana.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.371 dated 30.11.2023, registered under Sections 420, 409, 467, 468, 471, 506, 34 and 120B of IPC, at Police Station Rai, District Sonapat.

2. Brief facts of the present case as per the prosecution are that, the petitioner along with co-accused had cheated the complainant and got executed forged sale deed. Hence the present FIR.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He argues that the present FIR emanates out of civil dispute between the parties and the name of the petitioner has been dragged up unnecessarily. He argued that the petitioner was only witness to the sale deed



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and no consideration has been received by him. He further submitted that the complainant has not suffered any loss as he has no concern with property in question. The petitioner is in custody since 13.09.2025. Nothing is to be recovered from the petitioner. The investigation in the case is complete, challan stands presented and charges are yet to be framed. Moreover, the petitioner has clean antecedents as he is not involved in any other case. He further submits that the trial will take a long time to conclude and no useful purpose would be served by keeping him behind the bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has filed the status report and custody certificate of the petitioner, which are taken on record. While referring to the status report, he has vehemently opposed the prayer for bail by submitting that the offence committed by the petitioner is serious in nature. He has further submitted that the petitioner actively assisted in execution of fraudulent sale deed and collaborated with other co-accused persons involved in impersonation and registration of forged documents. However, he has not controverted the fact that the petitioner is a first time offenders as he is not involved in any other case.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 04 months; investigation is complete; challan stands presented, charges are yet to be framed and the fact that trial may take a long time to conclude, no useful purpose would be served by detaining him in further custody. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future would be violative of



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his rights under Article 21 of the Constitution of India.

6. This Court is sanguine of the fact that according to the proposition settled by the Apex Court in ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle “*bail is a rule*” and “*jail is an exception*”.

7. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

21.01.2026

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(RUPINDERJIT CHAHAL)
JUDGE

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