



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

220 CRM-M-69314-2025

MUNISH KUMAR SAINI ... Petitioner

VERSUS

STATE OF HARYANA ... Respondent

AND

246 CRM-M-3223-2026
Date of Decision: 29.01.2026

JAI SAGAR ... Petitioner

VERSUS

STATE OF HARYANA ... Respondent

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL.

Present: Mr. Aditya Sanghi, Advocate
for the petitioner in CRM-M-69314-2025.

Mr. Saurabh Dalal, Advocate
for the petitioner in CRM-M-3223-2026.

Mr. Rakesh Kumar Jangra, AAG, Haryana.

H.S. GREWAL, J. (ORAL)

Both these petitions are being decided by this common order since they arise out of the same FIR.

2. These petitions have been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail for the petitioners in case FIR No.326 dated 21.08.2025 under Sections 318(4), 338 and 340 of BNS. 2023 registered at Police Station Sirsa Sadar, District Sirsa, Haryana.

3. The allegations against petitioner Manish Kumar Saini are that he procured a forged jamabandi and thereby obtained false No Dues Certificate, which

was used for execution and registration of the sale deed in question. Further, he being a Clerk, had shown the village land as urban land in order to skip the procedure for getting No Dues Certificate.

4. On the other hand, the case of the prosecution against petitioner Jai Sagar is that he was hand in gloves with the other co-accused and facilitated them in preparing the No Dues Certificate on the basis of the forged documents.

5. Learned counsel for petitioners contends that petitioner Manish Kumar Saini was doing his bonafide official duty and that he was not beneficiary of the forgery so committed. Learned Counsel further submit that the case is based on documentary evidence. Moreover, there is allegation that any illegal gratification has exchanged hands. It is further argued that so far as accused Jai Sagar is concerned, his name is not mentioned in the FIR and he has been falsely implicated in the present case. Even, there is no evidence to connect the petitioners with the alleged offence. It is further argued that the Mayor and the Investigating officer, Sirsa in their report dated 03.07.2025 have also stated that a property ID could only be obtained by the owner of the property. The Tehsildar and the complainant have been found guilty of the alleged forgery and the FIR has been registered without any inquiry into the matter. They further submit that the petitioners are not involved in any other case. It is also submitted that the main accused Devender @ Vicky has already been granted bail by this Court vide order dated 15.01.2026 passed in CRM-M-416-2026. Moreover, the petitioners are in custody for the last more than 03 months. It is further argued that the trial of the case is yet to commence and the same will take a long time to conclude.

6. On the other hand, learned State Counsel vehemently opposes the petitions for grant of bail on the grounds that there is an active role of the petitioners in the commission of the alleged offence and the allegations levelled against them are serious. Hence, he prays for dismissal of the present petitions. Custody certificates filed by the State Counsel are taken on record. As per the said certificates, the petitioners are in custody for the last more than 03 months.

7. I have heard the learned counsel for the parties and perused the record.

8. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioners are in custody for the last more than 03 months and the trial will take a long time to conclude, this Court is of the opinion

that the petitioners deserve the concession of regular bail. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioners would not serve the ends of justice, therefore, they are entitled to regular bail during the pendency of the trial.

9. Hence, without expressing any opinion on the merits of the case, instant petitions are allowed. The petitioners are ordered to be released on regular bail on their furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

10. It is clarified that if while on bail so granted through the instant order, the petitioners are found indulging in any other criminal case/activity, it shall be open to the State to seek cancellation of their bail.

11. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

JANUARY 29, 2026.
Rajender

(H.S. GREWAL)
JUDGE

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