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

CRM-M No.70301 of 2025

Date of Decision: 09.03.2026

Sarwan Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Manoj Kumar Sood, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Baljeet Beniwal, Advocate
for the complainant.

RAJESH BHARDWAJ, J.

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.742, dated 22.11.2023, under Sections 406, 420, 467, 468, 471 and 120-B of IPC, registered at Police Station City Ballabgarh, District Faridabad.

2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Mandhir Maan, s/o Rattan Singh Mann. It was alleged that Paramvir, Rajesh Gupta and Ranvir were involved in selling of properties and swindling money by preparing agreement with forged documents. Rajesh and Ranvir were working as property dealers and told the complainant



that H. No.85, Sector 29, measuring 250 sq. Yards was for sale and Paramvir, i.e. the petitioner was the owner of the same. Rajesh Gupta and Ranvir got fixed the meeting of the complainant with Paramvir and the deal was done for an amount of Rs.1 Crore. The agreement to sell was executed on 23.11.2021 in the presence of co-accused, namely, Rajesh Gupta and Ranvir. It was alleged that Earnest money of Rs.20,00,000/- was paid and thereafter, on 01.02.2022, an amount of Rs.10,00,000/- was paid. Balance amount was to be paid at the time of registration of sale deed. Rajesh Gupta and Ranvir put their signatures on the agreement as the witnesses in the presence of notary. Later on, the complainant realized that Paramvir was avoiding to execute the registered sale deed and took money at the instance of Rajesh Gupta and Ranvir. They were not disclosing the reasons for not getting the sale deed registered. Thus, the complainant got suspicious and, therefore, inquired about the property from HUDA and then, it was transpired that the property was neither in the name of Paramvir nor any document was there in respect of ownership of the said property. The complainant informed Rajesh Gupta and Ranvir about the alleged fraud as committed with him but they started putting off the matter and avoided to meet him. When the complainant demanded back the amount of Rs.30,00,000/- given to them, they started to threaten him. Thus, the complainant found that he was cheated by all the accused and, thus, request was made to take legal action against them. On the basis of the complaint, the FIR was registered. On registration of the FIR, the investigation commenced.



During the investigation, complicity of the petitioner, namely, Sarwan Kumar, surfaced and thus, he was arrayed as an accused in the present case. Resultantly, the petitioner was arrested on 08.11.2025. The petitioner approached the Court of learned Additional District & Sessions Judge, Faridabad praying for the grant of regular bail. However, after hearing both the sides and finding no merit in the same, the learned Additional District & Sessions Judge, Faridabad declined the bail application filed by the petitioner vide order dated 02.12.2025. Hence being aggrieved, the petitioner is before this Court praying for the grant of regular bail by way of filing the present petition.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He has submitted that neither the petitioner was named in the FIR nor there is any complaint filed by co-accused, Paramvir that the petitioner had cheated him, however, he has been implicated in the present case only on the basis that he had sold the said property to co-accused, namely, Paramvir on the basis of fake/forged registered Will dated 19.09.2019. He has submitted that as per the FSL report, the signature does not match with the original and there was no evidence to hold an opinion that the signature of the testator of the will was forged or fabricated as alleged by the prosecution. He has submitted that the civil suit with regard to the property in question is already pending before the learned Civil Court. He has submitted that no offence has been committed by the petitioner and neither any complaint has been registered against him. He has submitted

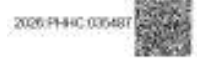


that the co-accused, namely, Ranjit has pleaded that there was no transaction or any agreement to sell executed between him, co-accused, namely, Rajesh or the petitioner. He has submitted that as the petitioner is involved in 04 other cases, however, he has been acquitted in all the cases. He has submitted that the disclosure statement in itself, is not even an admissible evidence. He has further submitted that the petitioner is behind bars since 08.11.2025, however, there is no material progress in the trial. He has further submitted that no prima facie case, as alleged against the petitioner is made out and thus, the petitioner deserves to be granted anticipatory bail.

4. Learned counsel for the State however has vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that complicity of the petitioner has been duly established during the investigation. He has further submitted that the petitioner along with the co-accused has intentionally committed the fraud and cheated the complainant. He has submitted that during the investigation, it has been transpired that based on the Will bearing No.12, dated 09.04.2018, the petitioner had got executed the sale deed of the property in question in the name of co-accused, namely, Paramvir, however, the same was neither re-allotted in the name of petitioner nor in the name of co-accused, Paramvir. He has submitted that the property in question is still registered in the name of Mahendra Kumar Gupta, who died on 30.08.2015. He has submitted that the petitioner joined the investigation on 02.12.2024 and he informed the investigation agency that co-accused,



Paramvir had purchased the house from him and asked him that he would get the house registered in his name in the HUDA department. He has submitted that the petitioner is the main accused, who along with the co-accused, Ranbir Singh and Paramvir Singh had got prepared the fake Will of Mahendra Kumar Gupta and then got it registered in the office of Registrar, Faridabad and based upon the same, sold the house of co-accused, Paramvir. He has submitted that in the civil suit filed before the learned Civil Court for challenging the Will, the petitioner did not appear and thus, he was proceeded ex-parte. He has further submitted that the petitioner along with witnesses, namely, Jeetram and Rajiv Kumar had conspired and prepared a fake will and thereafter, the co-accused, namely, Paramvir in connivance with Rajesh Gupta and Ranbir with the intention of causing loss to the complainant had entered into an agreement for the property in question and usurped Rs.30 Lakhs from the complainant. He has submitted that the petitioner has already entered into 03 different agreements with other persons in the year, 2020, 2021 and 2022. He has further submitted that during the investigation, it was found that the petitioner, namely, Sarwan Kumar along with the co-accused, namely, Paramvir colluded to sell the property in question to several individuals and have obtained substantial money from numerous individuals through dishonesty, fraud and forgery. He has submitted that the petitioner is a habitual offender, who is involved in 04 other cases. He has further submitted that no case for the grant of bail to the petitioner is made out and thus, the present petition deserves to be dismissed.



5. Learned counsel for the complainant however has opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner along with other co-accused had committed a grave offence, wherein they cheated the complainant. He has submitted that the allegations made against the petitioner are serious in nature. He has thus submitted that no case for the grant of bail to the petitioner is made out and thus, the present petition deserves to be dismissed.

6. Heard.

7. After hearing learned counsel for the parties and perused the record, it is deciphered that complicity of the petitioner has been duly surfaced during the investigation. It has been found during the investigation that the petitioner along with co-accused, namely, Paramvir had sold the property in question to many persons in collusion with one another after hatching a conspiracy and hence, they committed cheating, fraud and forgery with many persons for wrongful gains. It has further been found that in the HUDA, the property in question was not transferred in the name of Paramvir and the petitioner. The petitioner is the main accused, who along with the co-accused, Ranbir Singh and Paramvir Singh had got prepared the fake Will of Mahendra Kumar Gupta and then got it registered in the office of Registrar, Faridabad and based upon the same, sold the house of co-accused, Paramvir. The petitioner has already entered into 03 different agreements with other persons in the year, 2020, 2021 and 2022. The petitioner, namely, Sarwan Kumar along with the co-accused, namely, Paramvir colluded to sell the



property in question to several individuals and have obtained substantial money from numerous individuals through dishonesty, fraud and forgery. The petitioner is a habitual offender, who is involved in 04 other cases. A civil case is already pending before the learned trial Court, Faridabad on the abovesaid plot in question, which is now fixed before the learned trial Court for 18.03.2026. Out of total 34 prosecution witnesses, no witness has been examined so far. In all there are total 06 accused persons in the present case and 05 accused are still in custody. The allegations against the petitioner are serious in nature.

8. Keeping in view the above said position, this Court does not find any ground to release the petitioner on bail at this stage. Hence, the present petition is hereby dismissed.

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

(RAJESH BHARDWAJ)
JUDGE

09.03.2026

<i>rittu</i>	Whether speaking/reasoned :	Yes/No
	Whether reportable :	Yes/No