



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

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CRM-M-35630-2025 (O&M)

Decided on : 24.09.2025

KARAMBIR**... Petitioner(s)****Versus****STATE OF HARYANA AND ANR.****... Respondent(s)****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

PRESENT: Mr. Sunil Saharan, Advocate for the petitioner(s).

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Gaurav Grover, Advocate for respondent no.2.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Karambir	154	02.05.2025	406, 420, 467, 468, 471 of IPC	Sadar Fatehabad	Fatehabad

2. Allegation against the petitioner, who is a property dealer, is that he duped complainant by forging documents related to the purchase of a plot measuring 11.022 Marla for a total sale consideration



of Rs.8,28,855/- and total sale consideration had been paid to the petitioner, but still sale deed was not executed.

3. Learned counsel for the petitioner submits that in fact, complainant – Sant Kumar has not disclosed all the facts in the FIR as complainant was already having money transactions with the petitioner and said fact is clear from the Civil Suit filed by Sant Kumar himself (complainant) for recovery of Rs.6,10,000/- along with the interest for the period 31.05.2022 to 30.04.2025 @ 18% per annum from the petitioner.

By referring to the prayer made in the civil suit, learned counsel wishes to argue that complainant was having money transactions with the petitioner for the last more than 04 years period. Despite having monetary disputes, present FIR is got registered by twisting the facts. If the complainant was actually aggrieved because of non-payment of amount since the year 2022, there was no plausible reason for him to enter into any fresh sale agreement or money transaction with the petitioner in the year 2025 for a property, especially involving a substantial payment of Rs.8,28,855/-. Moreover, petitioner is inside jail since 13.05.2025 and the offences are triable by the Court of learned Magistrate. Without proving the allegations, beyond doubt, petitioner cannot be detained for an indefinite period.

4. On the other hand, learned State counsel and counsel for the complainant while opposing the prayer made by the petitioner's



counsel submit that petitioner is an habitual offender and he is involved in one more criminal case which is of similar nature. However, he is unable to dispute the factual assertions addressed and recorded, hereabove more particularly the factum of civil suit filed by Sant Kumar-complainant.

5. Heard.

6. It is noticed that the dispute pertains to the year 2022, from where he is claiming interest for last more than 04 years. Having considered the submissions made by respective counsel and this Court finds that the issues addressed by the petitioner's counsel would be considered by the trial Court after having complete set of evidence before it from both the sides. As of now, petitioner is admittedly inside jail for the last more than 4 months and is not previously convicted in any other case. Therefore, liberty of the petitioner cannot be curtailed for an indefinite period.

In the given circumstances, I find it appropriate to entertain the petitioner's plea for regular bail, as it pertains to the fundamental question of an individual's liberty.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.



7. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

9. Petition stands **disposed of**.

(SANJAY VASHISTH)
JUDGE

September 24, 2025

Deepak Patwal

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No