

CRM-M-45675-2025

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

CRM-M-45675-2025
Reserved on: 10.09.2025
Pronounced on: 25.09.2025

Krishan Lal Bishnoi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. S.S.Narula, Advocate and
Dr. Amandeep Singh Sandhu, Advocate
for the petitioner.

Dr. Jasmine Gill, AAG, Haryana.

Mr. Tanvir Singh Attariwala, Advocate
for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
318	02.12.2023	Sector 14, Gurugram	419, 420, 467, 468, 471, 204, 120B IPC

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.

2. Per paragraph 15 of the bail petition, custody certificate dated 09.09.2025 as well as reply filed by the State, the petitioner has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1	249	05.09.2023	419, 420, 467, 468, 471, 120 B IPC	Sector 14 Gurugram
2	267	03.08.2022	419, 420, 465, 468, 471, 120B IPC	Dharuhera, Rewari
3	280	10.08.2022	419, 420, 465, 467, 468, 471, 120B IPC	Dharuhera, Rewari
4	383	26.07.2023	406, 420, 120B IPC	Bajaj Nagar, Jaipur

3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“That the brief facts leading to registration of the FIR aforementioned are

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that a complaint complainant Dharambir moved a complaint under Section 156(3) Cr.P.C. before the Court of Learned JMIC, Gurugram for registration of FIR for commission of offences punishable under Sections 406, 420, 465, 467, 468, 471 and 120B IPC and the present FIR was registered on the orders of Learned JMIC, Gurugram passed under Section 156(3) Cr.P.C.

4. That the present complaint had been moved against (i) Vikas Bishnoi S/o KL Bishnoi, R/o H.No. 215, Sector-14, Gurugram (ii) KL Bishnoi S/o Devi Lal R/ H.No. 200, Sector-38, Gurugram, (petitioner herein) (iii) Karnaram S/o Teja Ram R/o Village Baap, Tehsil Foladi Rajasthan, (iv) Chanderbhan R/o village Village Lohawat Tehsil Foladi, Rajasthan, (v) Sudesh Kumar S/o Dharamvir Singh R/o H.No. 1361 Housing Board Colony Sector-9, Gurugram (vi) Narender Sharma S/o IR Sharma R/o H.No. 63 Sector-22 HUDA Market Gurugram, (vii) Naurang Tehsildar, Gurugram, (viii). Neelam Sikka W/o Raj Kumar Sikka R/o H.No. G-4, Ramesh Nagar, Ratan Park West Delhi, (ix) Raj Kumar Sikka R/o H.No. G-4, Ramesh Nagar, Ratan Park West Delhi, (x) Ashok Kumar S/o Chaman Lal R/o H.No. V-37, first floor, New Multan Nagar, New Delhi, (xi) Ajay Kumar, Estate Officer (HUDA), (xii) Tarun Pawaria, Estate Officer-1, (xiii) Sanjeev Kumar Estate Officer-I(HUDA), (xiv) Vivek Kaliya Estate Officer-I (HUDA), (xv) Shri Anoop Bishnoi S/o Bhupender R/o New Friends Colony, New Delhi and (xvi) Suraj Bhan S/o Prabhu Dayal R/o Village Harsaru, Gurugram. It is submitted in the complaint that an FIR no. 249/2023 under Sections 406, 420, 465, 467, 468, 471 and 120B IPC PS Sector-14, Gurugram had been registered against Krishan Lal Bishoi, Vikas Bishnoi, Tarun Kumar Pawria, Estate Officer, Sudesh Kumar S/o Dharambir and others officials of HUDA with regards to sale of a plot vesting in the name of Sunil Kumar, by impersonation of Sunil Kumar. The complainant alleged that his uncle (Chacha) late Sandeep Kumar R/o village Sitogunaj, Tehsil Abohar, District Fajilka, Punjab, who died on 01.07.2024, was allotted plot no. 4742 Sector-23A measuring 1 kanal on 12.01.1996 in draw vide allotment letter no. 4389 dated 12.6.1996. The said plot was in the possession of his uncle. It was further submitted that KL Bishnoi who is Saddhu of Anoop Bishnoi i.e. brother-in-law of wife of Anoop Bishnoi in relation, was having visiting terms with Anoop Bishnoi, being his relative. It was alleged that KL Bishnoi and Vikas Bishnoi had entered into a conspiracy with officials of HUDA department and in pursuance of said conspiracy, got issued possession certificate on 19.12.2007 and in the same year 2007 KL Bishnoi, Vikash Bishnoi and Anup Bishnoi in connivance with the HUDA Officials

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produced the documents to change the plot number in order to grab the same and a new plot no. 4737 Sector23/23A was allotted. Karna Ram and Chander Bhan impersonated the said Sandeep Kumar and forged signature of Sandeep Kumar were made on the relevant documents. Vikas Bishnoi and KL Bishnoi got issued NOC of the said plot on 19.02.2016. It was further alleged that on 26.02.2016, Vikas Bishnoi alongwith KL Bishnoi produced notarized affidavit of Sandeep and on 31.12.2017 Vivek Kalia, Estate Officer issued demand payment letter on the address as disclosed by KL Bishnoi and Vikas Bishnoi, without comparing the original signatures of Sandeep on allotment letter and the application. It was further alleged that thereafter Vikas Bishnoi applied for conveyance deed by forging signature of Late Sandeep Kumar and also mentioned his mobile number 97110xxxx on it and got prepared the conveyance deed on 31.10.2017. It was further alleged that photograph on the PAN number EDQPK5523M, there was photograph of Chanderbhan, who was driver of Anup Bishnoi and on photograph on the driving license there of Karna was Ram, who was housekeeper of Anup Bishnoi. This PAN card and Driving License were presented as being of Late Sandeep, but photographs were different both identity documents. The forged signatures of Late Sh. Sandeep were done by L Bishnoi and Vikas Bishnoi. It was further Alleged that the Tehsildar, Naurang Kumar in lieu of significant intentionally and monetary benefit, registered the conveyance deed without tallying the photographs on DL and PAN Card and signatures on it. It was further alleged that the said conveyance deed was witnessed by Sudesh Kumar, Narender Kumar and Vikas Bishnoi and the conveyance deed had the photographs of Vikas Bishnoi and Suraj Bhan. There was no photograph of Karna Ram, who had impersonated Late Sandeep Kumar. It was further alleged that this conveyance deed was received by Vikas Bishnoi and also there was mobile number of Vikas Bishnoi while issuance of stamp paper. He also alleged that in a similar manner, Vikas Bishnoi KL Bishnoi, Sudesh alongwith Kumar, Narender had got obtained the conveyance deed of late Sh. Sunil Kumar regarding which an FIR No. 249/2023 stood registered at PS Sector14, Gurugram. It was further alleged that all this forgery was done in conspiracy with the officials of the HUDA and Tehsildar and thereafter on the basis of forged conveyance deed, Vikas Bishnoi and KL Bishnoi got transferred the plot in the name of Neelam Sikka, Raj Kumar Sikka and Ashok Kumar through re-allotment. It was further alleged that Vikas Bishnoi deposited the requisite fees and on the challan, his own phone number was mentioned. The complainant submitted that Vikas Bishnoi alongwith co- accused in acting in

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connivance with each other, after hatching conspiracy, had forged the documents after the death of the original allottee Late Sandeep Kumar, who had died in the year 2004 and had got conveyance deed of the said plot which were further transferred to RK Sikka, Neelam Sikka and Ashok Kumar through re-allotment letter and had obtained a huge monetary benefit running in crores of rupees, by committing forgery. On the basis of these allegations, the above captioned FIR was registered and investigation was taken up in the matter.”

4. Petitioner’s counsel seeks bail on parity with five co-accused, who have already been granted bail, vide orders at Annexures at P-7 to P-11. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family. Counsel further submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

5. The State’s counsel opposes bail and refers to the reply.

6. It would be appropriate to refer to the following portions of the reply, which read as follows:

“31. Role of the petitioner: Petitioner had played an active role in the commission of crime complained of. He had hatched a conspiracy and in furtherance of the same, he had induced the co-accused Karna Ram to impersonate Sandeep and the deeds were accordingly executed.”

REASONING:

7. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing.

8. Per the custody certificate dated 09.09.2025, the petitioner’s total custody in this FIR is 04 months & 23 days.

9. The law of bail, like any other branch of law, has its own philosophy, and occupies an important place in the administration of justice and the concept of bail emerges from the conflict between the police power to restrict liberty of a man who is

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alleged to have committed a crime, and presumption of innocence in favour of the alleged criminal.¹In deciding bail applications an important factor which should certainly be taken into consideration by the Court is the delay in concluding the trial.—Often this takes several years, and if the accused is denied bail but is ultimately acquitted, who will restore so many years of his life spent in custody? —Is Article 21 of the Constitution, which is the most basic of all the fundamental rights in our Constitution, not violated in such a case? —Of course this is not the only factor, but it is certainly one of the important factors in deciding whether to grant bail.² Personal liberty is a very precious fundamental right and it should be curtailed only when it becomes imperative according to the peculiar facts and circumstances of the case.³ Personal liberty deprived when bail is refused, is too precious a value of our constitutional system recognised under Art. 21 that the curial power to negate it is a great trust exercisable, not casually, but judicially with lively concern for the cost to the individual and the community.⁴ When the undertrial prisoners are detained in jail custody to an indefinite period, Article 21 of the Constitution is violated.⁵

10. Given the above, the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, other co-accused on bail and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage, subject to the compliance of terms and conditions mentioned in this order.

11. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

12. Given the above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above, subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate or duty Magistrate, with or without sureties, with a maximum bond amount not to exceed INR 10,000.

13. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, the surety is capable of producing the accused. However, instead of surety, the petitioner may provide a fixed deposit of INR 10,000/-, with a clause that

¹ Supreme Court of India in *Vaman Narain Ghiya v. state of Rajasthan*, [E-SCR] ; [2008] 17 SCR 369, Para 16, decided on 12.12.2008.

²Supreme Court of India in *State of Kerala v. Raneef*, SC 2J [E-SCR]; [2011] 1 SCR 590, Para 4, decided on 03.01.2011.

³ Supreme Court of India in *Siddharam Satlingappa Mhetre v. State of Maharashtra*, SC 2J [E-SCR], Paragraph 127, decided on 02.12.2010.

⁴ Supreme Court of India in *Babu Singh & ors v. State of UP*, [E-SCR] P. 777, decided on 31.01.1978.

⁵ Supreme Court of India in *Sanjay Chandra v. CBI* , [2011] 13 (ADDL.) S.C.R. 309, Para 26, [E-SCR], decided on 23.11.2011.

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the interest shall not be accumulated in FD, either drawn from a State-owned bank or any bank listed on the National Stock Exchange and/or Bombay Stock Exchange, in favour of the “Chief Judicial Magistrate” of the concerned Sessions Division; or a fixed deposit made in the name of the petitioner, with similar terms and with endorsement from the banker stating that the FD shall not be encumbered or redeemed without the permission of the concerned trial Court, or until the surety bond has been discharged.

14. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

15. This order is subject to the petitioner’s complying with the following terms.

16. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case, or dissuade them from disclosing such facts to the Police or the Court.

17. The significant consideration for granting bail is that the Court aims to give the petitioner another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioner also abides by the assurance made on the petitioner’s behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.

18. This bail is conditional, with the foundational condition being that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State shall file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and as per their discretion, they may cancel this bail.

19. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

20. In *Amit Rana v. State of Haryana*, CRM-18469-2025 [Decided on 05.08.2025], in CRA-D-123-2020], a Division Bench of Punjab and Haryana High Court in paragraph 13, holds that “To ensure that every person in judicial custody who has been granted bail or whose sentence has been suspended gets back their liberty without any delay, it is appropriate that whenever the bail order or the orders of suspension of sentence are not

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immediately sent by the Registry, computer systems, or Public Prosecutor, then in such a situation, to facilitate the immediate restoration of the liberty granted by any Court, the downloaded copies of all such orders, subject to verification, must be accepted by the Court before whom the bail bonds are furnished.”

21. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

25.09.20254
anju rani

Whether speaking/reasoned: Yes
Whether reportable: No.