



asking him if he wanted to sell half of his plot, as construction was going on by labour on remaining half portion of his plot. He inquired from his own resources regarding the same and on 21.06.2024, he moved online complaints through e-mail to the Commissioner of Police, Faridabad and to DGP, Haryana regarding said illegal construction. Thereafter, on visiting the site of plot personally on 25.06.2024, he came to know that one JMD Infra Pvt. Ltd. Properties had raised the said illegal construction on his plot, despite the fact that he had not sold his land to anyone. On the same day i.e. 25.06.2024, a complaint was moved to the concerned SHO of Police Station Saran, Faridabad. On inquiry, police procured some documents and showed the same to the complainant. To his great surprise, the petitioner, by impersonating some other lady in place of complainant's wife Poonam Arora, by putting her fake signatures and affixing her photograph, got executed gift deed in his favour, whereas in reality, the complainant did not know any person in the name of Naphay Singh. On these allegations, FIR in hand was got registered.

Learned counsel for the petitioner submitted that the petitioner is himself a victim in the present case. In the year 2015, the complainant himself contacted the petitioner and on his willingness to sell 120 sq. yds. portion of the plot in question, he became ready to purchase the same. An agreement to sell dated 14.08.2015 was executed between the parties for sale consideration of Rs.5,00,000/- and petitioner also paid Rs.3,00,000/- as earnest money. He further contended that the complainant told him that in order to save the stamp duty, his wife would execute a gift deed in favour of the petitioner and did so on 16.10.2015 and mutation was



also sanctioned on 21.09.2016. The petitioner, after purchasing said 120 sq. yds., raised some construction thereon and further sold the same to one Kanta Dhingra on 26.08.2019, mutation whereof was sanctioned on 24.03.2022. It was further urged by learned counsel for the petitioner that at the time of execution of gift deed dated 16.10.2015, aforesaid Poonam Arora wife of complainant Ashok Arora also produced documents like Aadhar Card, Ration Card, Photographs etc. However, due to complaint made by said Ashok Arora, the petitioner was arrested on 22.01.2025.

Learned counsel for the petitioner submitted that the petitioner is a simpleton agriculturist, who had followed the advice of sellers, for getting executed the gift deed in question. Had there been any ill intention in his mind, he would not have raised construction on the plot in question. It is also highly improbable to imagine that the complainant and his wife did not visit their plot for about ten years and did not come to know about the same. He submitted that petitioner is in custody since 22.01.2025 and no useful purpose would be served by further detention of the petitioner.

Per contra, learned counsel for the State and the complainant, who appeared in person, vehemently opposed the bail and submitted that the complainant is a victim of impersonation, which was done by the petitioner with the active connivance of government officials in the office of the Sub-Registrar, Faridabad. So, the petitioner, who actively participated in the fraudulent transaction does not deserve concession of bail.

Heard.

As per the allegations, the petitioner got executed gift deed in his favour by impersonating some other lady as Poonam Arora wife of the



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complainant. The allegations levelled against the petitioner are a matter of trial. Challan in this case has already been presented. As per the Status Report placed on record by learned State counsel, there are 14 prosecution witnesses in this case and out of them, no one has been examined as yet. Co-accused Sumit and Manoj have already been granted concession of bail by learned Additional Sessions Judge, Faridabad vide orders dated 31.05.2025 and 11.07.2025 respectively. The petitioner is in custody since 22.01.2025 and as per the Custody Certificate dated 03.09.2025 produced on record, he has already undergone custody of 07 months 12 days. As per the Status Report, as per official record of ICJS, no other FIR is pending against the petitioner. The trial of the case is going on and conclusion of the trial is likely to take considerable time. No useful purpose would be served by further detaining the petitioner behind the bars.

Accordingly, the present petition is allowed and the petitioner is ordered to be admitted on regular bail, on furnishing adequate bail bonds and surety bonds, to the satisfaction of concerned learned Trial Judge/Chief Judicial Magistrate/Duty Magistrate.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

Pending application(s), if any, shall stand disposed of along with the present petition.

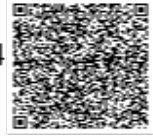
September 04, 2025

monika

**(SUKHVINDER KAUR)
JUDGE**

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>

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