



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-49086-2025 (O&M)

Date of decision: 24.09.2025

Vinod Kumar

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Mohd. Yousaf, Advocate for the petitioner.

Ms. Chhavi Sharma, AAG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant first petition has been filed for grant of anticipatory bail to the petitioner in case bearing FIR No.47 dated 22.04.2025 registered under Sections 318(4), 336(3), 337, 340, 61(2) of the Bharatiya Nyaya Sanhita (BNS), 2023 and Section 82 of the Registration Act, 1908 at Police Station Jakhal, District Fatehabad.

2. Reply alongwith annexures filed by way of affidavit dated 12.09.2025 on behalf of the respondent-State is already available on file and the same is taken on record.

3. The relevant extract of the FIR reads thus:

"To, District Deputy Commissioner Fatehabad No. 884 Steno dated 16-4-25 Subject: Regarding conducting inquiry and lodging of FIR against Premalata wife of Tarachand resident of Jakhal for tempering with the sale deed of property ID 6WMG4860. Reference: with regard to letter of your office No. 1893/D.M.C. Dated 26.03.2024, Letter No. 2291/D.M.C. Dated



18.04.2024, Letter No. 07 (J)/D.M.C. 2953 / dated 23.05.2024, and letter No. 07 (J) / D.M.C. 1000 / dated 13.02.2025. The complaint by Shri Dharmapala Saxena son of Shri Phool Chand, G.M India News Distribution Punjab, Haryana, Himachal Pardesh, M. 8585060000 was received in this office through the letters referred to above regarding the above subject for investigation. Upon preliminary inquiry of the documents submitted by the complainant, it was found that the first complaint was lodged by him with the Secretary, Nagar Parishad, Jakhhal Mandi whereupon preliminary inquiry was conducted by issuing notice to Mrs. Premalata wife of Mr. Tarachand, resident of Jakhhal Mandi. The complainant and Mrs Premlata were called to the office to make their submissions but the complainant did not appear before the undersigned and on behalf of Premalata her husband Tarachand and her son Chandraharsh appeared before the undersigned but they did not get any statement recorded. It has been submitted by the complainant in his complaint that the owner of property ID No. 6WVG4860 Mrs Premalata had sale deed of 107 yards whose deed number was 845 dated 24.12.2009 but Premalata was in possession of 130 yards. Therefore, she has tampered with the sale deed in an illegal manner and has obtained a property ID of 130. yards instead of 107 yards and after obtaining ID, she has



executed the sale deed of the above said land in favour of her son. In the documents attached with the complaint, two photo copies of Deed No. 845 dated 24.12.2009 have been attached. In the photocopy of the tampered sale deed, one house measuring 130 square yards and measuring and bounded by 24 feet owner Satpal etc. in the north, 24 feet public passage in the south, 49 feet owner Poonam Singla etc. in the west and 49 feet owner Heera in the west are shown. Apart from this, another photo copy of the said deed is attached in which are of the sold house measuring 107 square yards and measuring and bounded by 18 feet owner Satpal etc. in the North, 18 feet public passage in the South, 49 feet owner Poonam Singla etc. in the East and 49 feet owner Heera in the West is shown. In order to verify the above facts, it was written to the Sub-Tehsildar Jhakkhal to provide the attested copy of deed No. 845 dated 24.12.2009 and on the basis of this deed, the family transfer deed No. 787 dated 10.10.2023 executed by Mrs. Premalata and the attested copies of other related documents presented at the time of registration of the deed for the purpose of investigation. On the perusal of the record submitted by Sub-Tahsildar Jakhal, it was found that as per the record, in deed no 845 dated 24.12.2009 The area of one sold house measuring 107 sq. meters and bounded by 18 feet owner Satpal etc. in the north, 18 feet public passage in the south, 49 feet owner Poonam Singla etc. in the east, 49 feet



owner Heera in the west is recorded. From this it appears that the original copy of Deed No. 845 dated 24.12.2009 which is in the possession of the original owner Premalata, she has tampered with the same and the area has been changed to 130 square yards instead of 107 square yards and the measurement and boundaries have been changed to 24 X 49 instead of 18 X 49. In Deed No. 787 dated 10.10.2023 Premalata wife of Tara Chand son of Janak Raj has transferred one house measuring 130 square yards by way of family transfer deed to her son Chander Harsh son of Tara Chand son of Janak Raj which has measurement and boundary 49 feet owner Poonam Singla etc. in the east and 49 feet owner Heera in the west, 24 feet owner Satpal etc. in the north, 24 feet public passage in the south has been shown. The following disclosure has been made in the description of the property in this deed by the transferor:- "A sold house of 130 sq. yards, at Mauza Model Town, Jakhal, Tehsil Tohana, District Fatehabad. Out of the total area of the above house, 107 sq. yards have been purchased by me vide deed no. 845 dated 24.12.2009 Office of Joint Sub-Registrar Jakhal, of which I am owner in possession and 23 square yards is in my possession since long ago, therefore it is total of 130 sq. yards. Property ID of total 130 sq. yards has been issued in my name." The copy of the tampered deed no 845 dated 24.12.2009 has been annexed as proof of ownership by the



transferor Premalata for registration of the above deed No. 787 dated 10.10.2023. Therefore, it is clear from this that in order to register the area under their occupation, Prem Lata wife of Tara Chand son Janak Raj and Chander Harsh son of Tara Chand son of Janak Raj have got registered deed No. 787 dated 10.10.2023 on the basis of forged documents. On perusal of the documents submitted by the Secretary Municipal Committee, it was found that the above tampered deed No. 845 dt.24.12.2009 has been uploaded by the applicant Premlata for obtaining property ID no 6WVG4860. Therefore, it is clear from this that Property ID No. 6WVG4860 has been obtained by Prem Lata wife of Tara Chand son of Janak Raj and Chander Harsh son of Tara Chand son of Janak Raj on the basis of forged documents. In view of the above facts, it is clear that Prem Lata wife of Tara Chand son of Janak Raj and Chandra Harsh son of Tara Chand son of Janak Raj tampered with the original copy of Deed No. 845 dated 24.12.2009 (which is with the owner of the property) and prepared a forged deed and obtained Property ID No. 6WVG4860 and on the basis of these forged documents Deed No. 787 dated 10.10.2023 has been registered. Therefore, it is recommended to take action to register FIR against the above mentioned Premlata wife of Tara Chand son of Janak Raj and Chander Harsh son of Tara Chand son of Janak Raj. The report is sent for information in your service and for



necessary further action Attached: Copy of Complaint SD/-'''

4. Learned counsel appearing on behalf of the petitioner contends that as a matter of fact, Premlata was owner of the property measuring 107 sq. yards on the basis of sale deed No. 845 dated 24.12.2009, which she wanted to transfer to her son Chander Harsh and she was also in possession of additional 23 sq. yards of land. He contends that since the transfer was to be made, hence, he handed over the documents to one Arun Gupta for generation of the ID and he generated the ID instead for 130 sq. yards on the basis thereof the sale deed was got registered. He contends that the petitioner is not the beneficiary in the transaction, the transfer of land was *inter se* between Premlata and her son Chander Harsh. Thus, the petitioner not being a beneficiary, his custodial interrogation would not be required. He further makes a reference to the status report filed by the respondent-State as per which the petitioner has earlier joined the investigation and submitted that the case being based on documentary evidence, his custodial interrogation would not be necessary. He thus prays that the petitioner may be granted the concession of anticipatory bail.

5. I have heard the learned counsel for the petitioner and have gone through the documents appended alongwith the present writ petition as well as the reply filed by the respondent-State.

6. It is averred in the reply that the petitioner-accused is amongst the principal conspirators and facilitators in carrying out forgery of the documents by virtue whereof the transfer of 130 sq. yards as against the ownership of Premlata being 107 sq. yards, was facilitated. The petitioner is



alleged to have allured Tara Chand and his family members to part with substantial sum of money under the pretext of selling them additional 26 sq. yards of land (adjacent to the property) and getting the same regularised in the assessment and getting a new property ID issued for the said purpose. It was in the said circumstances a photocopy of the registry document No.845 dated 24.12.2009 was collected by the petitioner and he further procured an OTP on Chander Harsh's mobile phone and used the same for making online changes in the Municipal Record. He thereafter supplied a tampered photocopy of the Registry Document No.845 wherein the area of the property was altered from 107 sq. yards to 130 sq. yards. On the basis of this tampered document, a second fraudulent property ID was generated for the entire area, thus facilitating the transfer of transfer deed No.787 dated 10.10.2023.

7. It is further submitted that the role of the petitioner stands corroborated through multiple pieces of evidence including a pen drive containing audio recording and the conversation between Tara Chand and the petitioner-accused has been seized which reveals his own admission about indulging in numerous such acts. It is specifically stated by him that he has got many such similar transactions done in the Municipal record. It is further repeatedly stated by the petitioner herein that after 31st March, he shall get the entire issue sorted so that the title and possession of the excess area could be perfected.

8. It is thus not a case where someone is nominated as an accused under certain peculiar circumstances, rather, it is case of a well planned and



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executed criminal act. Besides, from the transcript of the audio recordings between petitioner and Tara Chand (co-accused of the petitioner), it is *prima facie* borne out that the petitioner has indulged in similar acts of not only tampering the registration documents but also the State record of property ID maintained by the Municipal authorities thus facilitating illegal encroachment and title over the Govt. land and to the prejudice of the real owners including the Municipality. The manner in which the offence has been committed requires investigation. When a person is required to join investigation with a protective armour of an interim bail, the investigation may have certain loopholes and lacunae which may leave the mode and manner of crime unexplained. Such crimes thus require a thorough investigation also to detect complacency, if any, of any staff of the department. I further find strength in my aforesaid observation from the judgment of the Hon'ble Supreme Court in the matter of ***P. Chidambaram vs Directorate Of Enforcement*** reported as ***(2020) 13 SCC 791***.

9. Owing to the nature of the allegations levelled and in the manner in which the offence has been committed, I am of the view that a thorough investigation cannot be carried out under a protective umbrella of anticipatory bail. Custodial interrogation of the petitioner thus would be necessary.

10. The present petition is accordingly ***dismissed***.

(VINOD S. BHARDWAJ)
JUDGE

24.09.2025

Mangal Singh

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