



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

227

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**CRM-M No.31686 of 2025  
Date of decision : 7.8.2025**

**Sanjeev Sharma @ Simmi**

.....Petitioner

**Versus****State of Punjab**

.....Respondent

**CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Amit Dhawan, Advocate, for the petitioner

Mr. Jasjit Singh, DAG, Punjab

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**SUMEET GOEL, J. (ORAL)**

1. Present second petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.81 dated 7.5.2015, under Sections 419, 420, 465, 467,468, 471, 120-B of the IPC, registered at Police Station Navi Baradari, District Police Commissionerate, Jalandhar.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

*In connection with compliant No. 778, dated: 07/05/2015 To the Commissioner of Police Jalandhar Sub:- Application for registration of criminal case against Tarsem Chand Lambardar, Jalandhar 2, Jasvir Singh son of Gurdev Singh residents of village Mitapur, Tehsil and District Jalandhar 3. Gurvinder Kaur wife of Sh. Jatinder Singh son of Sh. Jaswant Singh resident of 19, Prince Plaza Mithapur road Jalandhar and 4. Surinder Kaur wife of Sh. Kuldeep Singh resident of 216, JPNagar Jalandhar and S. Gurpreet Singh who appeared and signed the sale deed*



*dated: 22.04.2015 on behalf of vendee and 6. A lady who impersonated as Nasib Kaur wife of Sh. Gurdev Singh son of Sh. Mehnga Singh resident of village Mithapur, Tehsil and District Jalandhar for entering into criminal conspiracy along with others and getting a sale deed executed and registered on 2-20-42015 vide document No. 620/1 from the office of Sub Registrar, Jalandhar-1 Sir It is respectfully submitted as under 1. That applicant Harminder Singh son of Late. Dr. Malkiat Singh resident of 36-37, Rajinder Nagar Jalandhar is posted as Tehsildar-1. 2. That it has come to the knowledge of the application that Tarsem Chand Lambardar, Jalandhar Jasvir Singh son of Gurdev Singh resident of Village Mithapur, Tehsil and District Jalandhar. Surinder Kaur wife of Sh. Kuldeep Singh son of Khan Singh resident of 216, J.P.Nagar Jalandhar and Gurpreet Singh who appeared and signed the sale deed dated: 22.04.2015 on behalf of vendee and a lady who impersonated as Nasib Kaur Wife of Sh. Gurdev Singh son of Sh. Mehnga Singh resident of village Mithapur, Tehsil and Distt. Jalandhar for entering into Criminal conspiracy along with other and in pursuance of that criminal conspiracy got registered at case deed on 22.04.2015 of land measuring 14 marlas situated t village Mithapur, Tehsil and District Jalandhar for Rs. 13,44,000/- by producing a lady who represented herself as Nasib Kaur wife of Shri Gurdev Singh son of Mehnga Singh resident of Village Mithapur Tehsil and District Jalandhar. 3. That it has also come to the knowledge of the applicant that Nasib Kaur wife of Sh. Gurdev Singh son of Sh. Mehnga Singh resident of Village Mithapur, Tehsil and District Jalandhar, who is the owner in possession of the above said property as neither appeared before the applicant as seller nor she has sold the above said property and has also not received a sum of Rs. 13,44,000/- mentioned in the above said sale deed. 4. That the above noted persons have forged and fabricated documents and have used those forged and fabricated documents in getting the sale deed executed and got registered the same way of producing a lady as nasib Kaur wife of Gurdev Singh son of Sh. Mehnga Singh resident of village Mithapur, Tehsil and District Jalandhar, who was identified by Tersem chand Lamberdar and Jasvir Singh witness of the sale deed before the applicant. 5. That Tersem Chand Lambardar Jalandhar and Jaswir Singh son of Gurdev Singh resident of village Mithapur Tehsil and District Jalandhar who signed the above said sale deed as marginal witnessed have wrongly identified a lady as Nasib Kaur wife of Sh. Gurdev Singh S/o, Sh. Mehnga Singh resident of*



*Mithapur, Tehsil and District Jalandhar and the culprit Gurpreet Singh who appeared on behalf of the vendee has also signed the above said deed and raised no objection about the identity of the saler Nasib Kaur. 6. That the all the above noted persons have committed a serious fraud with the actual owner of the property for which they are liable to be prosecuted and punished according the law. Under the above noted circumstances, the applicant has brought there above facts before your good self for taking legal action by way of registering a criminal case against the above sald persons and others involved in the crime. Thanking you. Sd/ Harminder Singh son of Late Dr. Malkiat Singh R/o 36-37 Rajinder Nagar Jalandhar Mobile 98149-00051 ACP Central for n action under your supervision as per facts/law and report Sd/ Commissioner of police Jallandhar 7.5.2015. The enquiry of this case conducted by Assistant Commissioner of Police Central who has written in his report on the above mentioned complaint that the same has received by him for investigation in which the complainant Harminder Singh son of Malkiat Singh r/o 36/37, Rajinder Nagar, Jallandhar, presently Tehsildar Jallandhar-1 has stated that Gurvinder Kaur w/o Jatinder Singh r/o H.No 19 Prince Plaza, Mithapur road, Jallandhar, Surinder Kaur w/o Kuldeep Singh r/o 216 J.P Nagar, Jallnadhar and Gurpreet Singh who on 22.04.2015 as a buyer and CORY OF one lady who introduced herself as Nasib Kaur wife of Gurdev Singh r/o Mithapur, Jalandhar, executed a sale deed of 14 marla land in the area of Mithapur in the office of Sub Registrar Jalandhar-1 by committing fraud. After investigation of the complaint it is found that it come to the knowledge of the complainant Harminder Singh r/o Rajinder nagar Jalandhar who is posted as Tehsildar Jalandhar-1 that Tarsem Chand Nambardar and Jasvir Singh s/o Gurdev Singh r/o Mithapur, Surinder Kaur w/o Kuldeep Singh r/o 216, JP Nagar Janaldhar and Gurpreet Singh who owns a plot of 14 Marlas in the area of Mithapur Jalandhar were present for executing of sale deed on 22.4.2015. Gurpreet Singh introduced himself as buyer and one lady who introduced herself as Nasib Kaur w/o Gurdev Singh s/o Mehnga Singh r/o Mithapur, Jalandhar presented herself as seller of the land. They all cheated by doing this land deal on the name of Gurpreet Singh for Rs. 13,44,000/- and hence committed fraud. It is asiso come to the knowledge that Nasib Kaur w/o Gurdev Singh r/o Mithapur Jalandhar who is the owner of this land has not sold this land for Rs. 13,44,000/-. That the*



*above named persons in connivance with each other by forging documents and by presenting same other women as Nasib Kaur got this sale deed executed and Nasib Kaur was identified and Nasib Kaur was identified by Mehnga Singh r/o Mithapur, Jalandhar and Tarsem Chand Nambardar and Jasvir Singh signed as a witness of this sale deed and Gurpreet Singh bought this land on behalf of Gurminder Kaur and Surinder Kaur. After investigation from Tehsil Complex it is found that this deed was done on behalf of Rafiul S/o Ramesh Kumar 33/2 Civil Lines, Hoshiarpur. In this way the above named persons in connivance with each other had committed the fraud and for which an offence punishable under Sections 419, 420, 465, 467, 468, 471, 120-B IPC is made out. Accordingly, the investigation of the same at the police station New Baradari, Jalandhar, sd/- Dev Dutt Sharma PPS, Asst. Commissioner of Police, Central Jalandhar.'*

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 21.3.2025. Learned counsel has further submitted that the petitioner was granted the concession of regular bail on 5.4.2018 whereinafter he was regularly appearing before the concerned trial Court but on account of illness of his mother, he could not appear further and was declared proclaimed offender on 6.1.2024. Subsequently, the petitioner came to be arrested and is in continuous custody since then. Learned counsel has further submitted that the petitioner has been falsely implicated into the FIR in question. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 6.8.2025 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the



available records of the case.

6. The petitioner was arrested on 21.3.2025. Indubitably the petitioner was declared proclaimed offender on 6.1.2024 but the fact remains that the petitioner has been appearing regularly before the concerned Court since 5.4.2018 i.e. the date when the petitioner was granted bail till 7.7.2023 i.e. the date when he initially absented. Keeping in view the entirety of the facts and circumstances, especially the factum of the trial in question is magisterial one, this Court is inclined to enlarge the petitioner on bail.

6.1 As per custody certificate dated 6.8.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of ten months and ten days. As per the said custody certificate, the petitioner is stated to be involved in one more FIR registered under the NDPS Act. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in *CRM-M No.38822-2022* titled as *Akhilesh*



***Singh v. State of Haryana***, decided on 29.11.2021, and ***Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191.***

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the



petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

**(SUMEET GOEL)**  
**JUDGE**

**7.8.2025**  
*Ashwani*

Whether speaking/reasoned:  
Whether reportable:

Yes/No  
Yes/No