



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

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**CRM-M No.27465 of 2025
Date of decision : 21.7.2025**

Gurpreet Singh @ Gurprit SinghPetitioner
Versus
State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Vinod Ghai, Senior Advocate with
Mr. Rajesh Punj, Advocate, for the petitioner

Mr. Karunesh Kaushal, AAG, Punjab

SUMEET GOEL, J. (ORAL)

1. Present 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.246 dated 22.11.2024, under Sections 419, 420, 465, 467, 468, 471, 506 and 120-B of IPC, registered at Police Station City Moga, District Moga.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'To the S.S.P. Sir, Moga. Subject: Application for legal action regarding fraudulently transfer lease land ownership (1) Gurpreet Singh, son of Rajinder Singh, son of Puran Singh, resident of village Dodhar Garbi, Tehsil and District, Moga (2) Gurprit Singh, son of Bachan Singh, son of Sunder Singh, resident of S.S.T. Nagar 778 Patiala (3) Gurjant Singh Namberdar Village Dodhar Sarki, Tehsil and District Moga (4) Lakhvir Singh son of Kuldeep Singh Resident of Village Dodhar Garbi, Tehsil and



District Moga and taking legal action against the aforementioned persons. Respected sir, the applicants, baljit kaur wife of Nachhatar Singh and Sharman Sidhu son of Nachhatar Singh both resident of village Dodhar Garbi, Tehsil and District Moga, currently residing in Canada through their power of attorney Parminder Singh Son of Gurmail Singh resident of 200 Moga Road, Shiva Enclave, Bagha Purana, District Moga respectfully submit the following application against 1) the applicants who are resident of Canada, land measurement approximately 18 acres land is located in village Dodhar Garbi, Tehsil and District Moga, the owners of the land. They had leased their land to Gurpreet Singh son of Rajinder Singh a resident of their village. Gurpreet Singh son of Rajinder Singh regularly paid the lease amount to the applicant's power of attorney Parminder Singh, then Parminder Singh transferred the amount to the applicants. It is worth mentioning that in 2022, the first accused made a lump sum amount of 21 lakhs for 3-1/2 years of Icase. This amount was deposited into the account of Sharman Sidhu's sister in law at the time of Sharman Sidhu's marriage. 2) That the Gurpreet Singh Son of Rajinder Singh and along with his relatives, and Gurprit Singh son of Bachan Singh resident of Patiala, conspired with accused and through a premeditated plan, fraudulently replaced the applicants with other persons and forged fake signatures of the applicants and unlawfully transferred the applicant land into their own names using falsified documents. The applicants were not informed of these fraudulently activities at any stage. During this time, the accused continued to pay the lease amount for the land to the applicant's power of attorney Parminder Singh. 3) It was during a recent visit to India for some personal work that applicant Baljeet Kaur discovered the fraud committed by the accused. While checking the Jamabandi for her land, she found out about the forgery carried out by the aforementioned individuals. The applicants were shocked to learn that the ownership of their land had been illegally transferred in the names of Gurpreet Singh, son of Rajinder Singh, and Gurprit Singh, son of Bachan Singh, in the official land records. This fraudulent act was carried out without the applicants' knowledge or consent. 4) That when the petitioner Baljit Kaur went to the said Gurpreet Singh son of Rajinder Singh and asked the reason for doing so, he did not come up with anything and did not give any kind of consolation answer to which the petitioner Baljit Kaur tried to resolve the issue through important persons but the accused



unitedly threatened Baljit Kaur with dire consequences and started saying that application Baljit Kaur is a NRI and a woman and cannot harm them and if she tries to take any legal action against them, they will implicate petitioner Baljit Kaur with their influence in false cases through which she will not be able to come out again and petitioner. They also threatened to cause loss of life and property and to occupy land.

5) It is also to be mentioned in this regard that some of the original documents of the petitioner, including the identity card of the petitioner's deceased husband, land document of the petitioner or her deceased husband, given by them in favour of different persons, Power of attorney, registries etc, are missing regarding which the petitioner has now come to know from her neighborhood that dated 20.08.2014 on the said accused no. 2 Gurprit Singh along with his wife Parminder Kaur and his son Navjot Singh came to petitioner's house and entered the petitioner house by breaking the lock and at the time leaving the house had been fitted with new locks and while leaving, the petitioner neighbor also saw a bag in his hand, due to which the petitioner is fully convinced that all the original documents shown are with the said accused no. 2 Gurprit Singh and his wife. And the son had entered the petitioner's house and stolen it which is still in their possession at the present time and even in connivance with each other by all the said accused persons. 6) In the conspiracy which has been carried out with the petition, the accused no.2 Navjot Singh, the son of Gurprit Singh's wife Parminder Kaur, has given full support to the accused and have done and tried to grab the land by forgery and fraud, according to which it will not be wrong to call them accused and by doing so the said accused have committed fraud with Complainant and now they are threatening to harm Complainant and suffer bad consequences due to which the life and property of Complainant is in danger from the hands of the accused and if anything happens then the said accused will be directly responsible. Keeping the above facts in mind, appropriate legal action should be taken against the culprits and the life and property of the applicant should be protected and by doing so justice should be done to Complainant. You will be very kind for the same.''

3. Learned senior counsel for the petitioner has argued that the petitioner is in custody since 9.4.2025. Learned senior counsel has further submitted that the genesis of the FIR in question is actually a civil suit



which dates back to the year 2014 and the civil suit between the concerned parties is still pending adjudication. Learned senior counsel has further argued that the petitioner is a man with clean antecedents. 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 20.7.2025 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 9.4.2025 whereinafter investigation was carried out and challan in the case was presented on 12.5.2025. Total 6 prosecution witnesses have been cited but none has been examined till date. The rival contentions raised by learned counsel for the parties give rise to debatable issues which shall essentially be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

As per custody certificate dated 20.7.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of three months and nine days & is not shown to be involved in any other



case.

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.

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

(SUMEET GOEL)
JUDGE

21.7.2025

Ashwani

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No