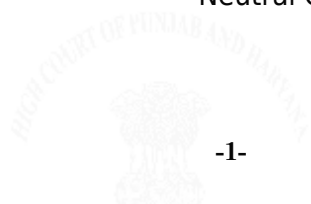


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**283 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

1) CRM-M-23740-2025
Date of decision: 19.05.2025

Bagel SinghPetitioner
Versus

State of Punjab ...Respondent

2) CRM-M-19545-2025
Raghuvir SinghPetitioner
Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Karan Bansal, Advocate,
Mr. Raghav Puggal, Advocate and
Mr. Karan Puggal, Advocate
for the petitioner (in CRM-M-23740-2025).

Mr. Atul Goyal, Advocate
for the petitioner (in CRM-M-19545-2025).

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Rajiv Malhotra, Advocate and
Mr. Manan Khetarpal, Advocate
for the complainant (in CRM-M-19545-2025).

HARPREET SINGH BRAR, J. (ORAL)

This common order shall dispose of the aforementioned both the petitions as they arise from a similar factual matrix. However, for the sake of brevity, the facts are taken from CRM-M-23740-2025.

The present petition(s) has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case

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bearing FIR No.04 dated 27.02.2025 under Sections 318(4)/319(2)/336(2)/336(3)/338/340(2)/61(2) of BNS, 2023, added Section 81 read with Section 34(3) and 82 of Registration Act, 1908, registered at Police Station Economic Offences Wing, Vigilance Bureau, Ludhiana (Annexure P-1).

Succinctly, the facts of the case are that on 27.02.2025, Inspector Yogesh Kumar was present in the office of Vigilance Bureau, Economic Offence wing, Ludhiana, Punjab and it was found that on 21.02.2025, a surprise checking was conducted in the office of Sub-Registrar, Ludhiana (West) where Sub-Registrar, namely, Jagsir Singh Sran and Registration Clerk, namely, Krishan Gopal were present. Upon being asked about sale deed No.2024-25/101/1/20859 dated 11.02.2025, they disclosed that the said sale deed pertains to the property measuring 14 kanals situated in Village Noorpur Bet-2 purchased by Deepak Goyal resident of House No.508, Sector 9, Panchkula, from Deep Singh. Thereafter, it was also found that somebody impersonated in place of Deep Singh and executed registration of said sale deed and further, Varinder Singh Patwari, Halqa Noorpur Bet-2 issued Fard Girdawari on 07.02.2025 of the said property. The purchasing party Deepak Goyal through Advocate Rahul Kaushal through Staff Senti property ID 4473081 had taken an appointment for the said sale deed on 10.02.2025. At the time of registration of sale deed on 11.02.2025, in place of purchaser Deepak Goyal, one Amit Gaur appeared. The sale deed was drafted by an Advocate-Gurcharan Singh Marwaha. After registration of sale deed, it was received on behalf of purchaser by Amit Gaur from Registration Clerk. Baghel Singh, Nambardar, identified Deep Singh. Advocate, Gurcharan Singh Marwaha and Ragbir



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Singh also signed the sale deed as witnesses. After getting suspicious, Advocate Rahul Kaushal obtained original sale deed from Deepak Goyal and produced it before Registration Clerk for action by disclosing that the same was got executed and registered by fake Deep Singh. The registration clerk further produced it before Jagsir Singh, Sub Registrar, Ludhiana (West), for action. It was found that Sub-Registrar had certified fake Deep Singh as seller at Endorsement No.01 on the sale deed dated 11.02.2025. At Endorsement No.02 Sub Registrar had certified witnesses Sham Sunder and Baghel Singh, whereas, Sham Sunder was not present there nor he had signed the sale deed and nor his photograph is affixed on the same. In his place, Advocate Gurcharan Singh Marwaha and Raghbir Singh have signed and their photos are there. Nambardar Baghel Singh, Advocate Gurcharan Singh Marwaha and Raghbir Singh have certified fake Deep Singh and registration Clerk did not tally the witnesses and produced the sale deed for registration before Sub-Registrar with different witnesses. Deepak Goyal or his representative Amit Gaur also did not raise any objection regarding registration of the sale deed with changed witnesses. It came to light that Sub-Registrar had certified fake Deep Singh and in place of Sham Sunder witness, in drafting, witness of other person were obtained whose names have not been mentioned in the draft of sale deed. A report was received from Tehsildar Ritu Gupta, Head Office, Vigilance Bureau, Mohali dated 21.02.2025 and as per technical and expert opinion, for the execution and registration of sale deed 2024-25/101/1/20859 dated 11.02.2025 by fake Deep Singh, witness Baghel Singh, Advocate Gurcharan Singh Marwaha, Raghbir Singh, Sub-Registrar Jagsir Singh, registration clerk and

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concerned computer operator have a role, besides the role of purchasers, Deepak Goyal and Amit Gaur. It was found that Jagsir Singh, Sub-Registrar, Ludhiana (West), registration clerk, Baghel Singh Nambardar, Advocate Gurcharan Singh Marwaha, Raghbir Singh, Deepak Goyal, Amit Gaur, fake Deep Singh and concerned computer operator of the office of Sub-Registrar, Ludhiana (West) have committed an offence punishable under Sections 318(4)/319(2)/336(2)/336(3)/338/340(2)/61(2) of BNS, 2023. It is further alleged that during investigation, role of Varinder Kumar Patwari and other persons will be considered and thus, the instant case.

Learned counsel for the petitioner(s) *inter alia* contends that the petitioner(s) has been falsely implicated in the present case rather the petitioner(s) is a whistle-blower and he has made a complaint dated 14.02.2025 before the office of Sub-Registrar, Ludhiana (Annexure P-2) and thereafter, a formal communication was issued by the Sub-Registrar to Station House Officer (SHO) of the concerned police station along with a communication to Deputy Commissioner, Ludhiana. The petitioner has absolutely no connection with the alleged offence. The petitioner has identified the seller as Deep Singh as per the Aadhar Card and PAN Card attached by the purchaser and further, there is a delay of 16 days in registration of the FIR (*supra*). The petitioner is not aware about the deal struck between the seller and the purchaser and he is not the beneficiary of the alleged transaction.

Per contra, the learned State counsel opposes the grant of anticipatory bail to the petitioner on the ground that the petitioner is part of a well orchestrated gang which identifies the properties of Non-Resident Indians

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(NRIs) and thereafter, by producing impersonator creates third party rights by executing sham sale deeds. The property in question was owned by one Deep Singh who is resident of USA and whose year of birth is 1971 but the year of birth on the forged Aadhar Card is mentioned as 1985, and the petitioner being Nambardar has identified the impersonator Gurpreet Singh as Deep Singh. Further, during custodial interrogation, the impersonator Gurpreet Singh has disclosed that fake and fabricated PAN card, Aadhar Card etc. have been prepared by co-accused, Raghuvir Singh and Gurjot Singh and for the purpose of impersonating, Rs.60,000/- has been given to Gurpreet Singh. Further, seven criminal cases have been reported to be registered against the petitioner-Bagel Singh and further action has been taken against him by the Deputy Commissioner of Police for suspending him from performing the duty of Nambardar. Further, a very value piece of property of around two acres was purchased only for Rs.30.20 lacs. The revenue staff and other persons have acted in a determined and calculated manner to cheat the original owner by getting the sale deed executed by producing two cheques worth of Rs.30 lakhs which have not been en-cashed till date. The fraud was detected during a surprise checking.

Having heard learned counsel for the parties, it transpires that property is owned by one NRI, which is situated within Ludhiana (West). The value of 14 kanals of land is worth several crore of rupees and the same has been sold by producing impersonating for only Rs.30.20 lacs out of which, the cheques of Rs.30 lacs were never presented for encashment. It is strange that Sub-Registrar at the time of execution of sale deed allowed the presentation of



cheques instead of demand drafts. The appointment on behalf of the purchaser for registration of the sale deed was taken by Sham Sunder, Advocate, whereas, he did not appear and identified the parties and instead one Gurcharan Singh Marwaha, co-accused, appeared and identified the parties as marginal witness and the petitioner-Bagel Singh has identified the impersonator as the seller and owner of the property in question. The role of the co-accused-Gurcharan Singh is similar in nature who has signed as marginal witness and further, the CCTV footage of the camera installed in the office of Sub-Registrar, Ludhiana, was obtained during investigation and co-accused-Gurcharan Singh along with other accused persons was found present at the time of execution of registration of sale deed and at the same time, the print of the sale deed was taken out. Further, co-accused-Gurjot Singh has disclosed how and to what extent the money was distributed to each accused.

The facts and circumstances of the case clearly indicates that the petitioners and other co-accused are part of a larger conspiracy of usurping the properties of Non-Resident Indians (NRIs). Even in the present case, as submitted by the learned State counsel, the real owner was not even aware of the fraud when the sale deed was executed in favour of the co-accused by way of impersonation. Apart from it, no sale consideration has exchanged hands and custodial interrogation of the petitioners is imperative to establish the role of other co-accused including the revenue officials.

This case is yet another example of a disturbing trend that is steadily gaining ground, wherein unscrupulous individuals take advantage of Non-Resident Indians (NRIs), particularly those who are unable to visit India frequently or manage their properties here. Time and again, such vulnerable property owners are defrauded through forged documents, misuse of Powers of



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Attorney often resulting in sale of their properties at grossly undervalued rates. The scale of this deceit is symptomatic of systemic abuse, where absence is weaponized and legal safeguards are routinely undermined. These offences are rooted in a breach of trust and stand on a different pedestal than conventional criminal offences in terms of criminal jurisprudence as they not only impact the personal and financial security of the victims but also have cascading effects on public trust in the real estate ecosystem, and ultimately, the economic stability of the State. The gravity of such acts extends far beyond individual transactions, they corrode institutional credibility and social conscience. Therefore, this Court cannot afford to treat such cases lightly while considering the grant of bail.

In view of the active participation of the petitioners and the criminal antecedental behaviour of petitioner-Bagel Singh, this Court finds no ground to grant anticipatory bail to the petitioners and thus, both the petitions are hereby dismissed.

However, the Deputy Commissioner, Ludhiana is further directed to take necessary disciplinary action against petitioner-Bagel Singh as initiated as Annexure P-5 and file his compliance report in this regard.

A photo copy of this order be placed on the file of connected case.

(HARPREET SINGH BRAR)
JUDGE

19.05.2025
Neha

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