



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

(106)

CRM-M-64309-2025 (O&M)

Date of decision :27.07.2026

VIKAS KUMAR

... Petitioner

Versus

CENTRAL BUREAU OF INVESTIGATION

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Gaurav Chopra, Senior Advocate with
Mr. Rohit Kumar, Advocate and
Mr. Vikram Vir Sharda, Advocate for the petitioner

Mr. Ravi Kamal Gupta, Special Public Prosecutor
for the respondent-CBI

Mr. P.S. Ahluwalia, Senior Advocate with
Ms. Keerat Dhillon, Advocate for the complainant

MANISHA BATRA, J. (ORAL)

1. The instant petition has been petition filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "BNSS") for grant of regular bail in cases bearing RC No.0512023S00012 & RC No.0512023S00013 (For short RC-12 and RC-13 respectively) dated 15.11.2023 registered under Section 120-B read with Sections 452, 323, 506, 427, 148, 149, 408, 420, 467, 468, 471 and 193 of IPC at Police Station CBI, Special Crime Branch, Chandigarh.



2. Vide order dated 18.10.2023 passed in CRM-M-6340-2023, a direction had been issued by this Court to the respondent-CBI to conduct investigation in cases bearing FIR No.133 dated 10.03.2022 registered under Sections 452, 323, 506, 427, 120B, 148 and 149 of IPC at Police Station Zirakpur, District SAS Nagar (Mohali) (For short “FIR No.133”) and case bearing FIR No.303 dated 04.10.2023 registered under Sections 420, 465, 467, 468 and 471 of IPC at Police Station Dera Bassi, District SAS Nagar (Mohali) (For short “FIR No.303”).

3. FIR No.133 was lodged by Harjit Singh, Manager of Guru Nanak Vidhya Bhandar Trust, Daryaganj, New Delhi (now to be mentioned as “complainant Trust”), alleging therein that 32 bighas of land situated at Zirakpur Patiala Road had been purchased by the complainant-Trust in the year 1986 and it was in possession of the same. With intent to grab the said land, accused Sanjeev Kumar Gatha, Rajesh Kumar Gaba, Rajinder Kumar and Sarabjit Singh hatched a conspiracy with their accomplices and had got registered a separate Trust with the name similar to that of the complainant Trust and had got prepared different documents. Inquiries were pending in different offices with regard to the said Trust. He alleged that on 10.03.2022, the accused Rajesh Kumar Gabba alongwith his 10-12 accomplices entered inside the land of the Trust by being armed with deadly weapons. The security guards standing at the gate of the said land were assaulted with weapons. Injuries were caused to them and their phones as well as CCTV cameras installed therein were damaged. Threats were extended to the guards



and all this was done to take illegal possession of the land of the Trust. A Special Investigation Team (SIT) was constituted and charge-sheet was filed as against the co-accused Sanjeev Kumar Gatha, Rajesh Kumar Gaba and Manoj Kumar.

4. FIR No.303 was registered on the basis of complaint filed by Inder Deep alleging that accused Sanjeev Kumar Gatha, Rajesh Kumar, Sarabjit Singh and Rajinder Kumar had created and utilized forged documents to claim ownership and possession of the land owned by the complainant Trust.

5. After re-registration of both the above FIRs as RC No.12 and 13 respectively, the CBI had conducted investigation. It was revealed that the accused Sanjeev Kumar Gaba, Rajinder Kumar and Sarabjit Singh alongwith the fake Trust had filed a civil suit in the Court of Civil Judge (Junior Division), Dera Bassi through the present petitioner, who was a practising Advocate. An application under Order 39 Rules 1 and 2 of CPC as filed in the said suit had been dismissed by the Court of Learned Civil Judge (Junior Division), Dera Bassi vide order dated 04.04.2022 and strictures were passed against the above-named accused.

6. As per the further allegations, then the petitioner in connivance with the co-accused attempted to shift the adjudication away from Dera Bassi to Bathinda wherein he had been regularly practising. A strategy was employed to manipulate the proceedings by summoning records related to the



disputed property owned by the complainant-Trust and by summoning witnesses in 04 totally different and unrelated matters. The petitioner who had been appearing in those cases as Advocate for one or the other party, obtained information regarding financial history of the complainant-Trust by summoning official witnesses from banker of the complainant-Trust and some other departments in order to secure false testimony. He also filed two complaints in the name of co-accused as against the Manager of the complainant-Trust to exert pressure and also manipulated witnesses of the banker of the complainant-Trust into testifying in favour of the fake Trust.

7. The investigation further revealed that the witnesses relating to the record of the complainant-Trust were summoned in unrelated cases without the knowledge or consent of the parties in whose names the litigation was going on. It was also revealed from the statement recorded by one Prabhdeep Singh on whose behalf a complaint had been filed that he had never moved any application for summoning the record of the Trust or the witnesses named therein and the petitioner had obtained his signatures on such applications in a fraudulent manner. Prabhdeep Singh also provided a recorded conversation between himself and the petitioner wherein the latter admitted the factum of wrongfully summoning documents and witnesses and was asking him to not to cooperate with the CBI investigation. The petitioner was also found to have resorted to forum shopping by moving application to Bathinda in connivance with the co-accused persons for the purpose of obtaining desired false statements as well as record.



8. After conducting investigation in RC No.12 and 13, the respondent-CBI filed a composite charge-sheet in both the cases before the Trial Court who summoned the petitioner. The petitioner had surrendered before the Court on 15.07.2025. He filed an application for grant of regular bail which was dismissed by the Court of Learned Special Judge, CBI Court, Punjab, SAS Nagar (Mohali) vide order dated 31.10.2025.

9. It is argued by learned Seniorcounsel for the petitioner that he had joined the inquiry/investigation throughout and his custody was never sought by the respondent during investigation. No recovery was to be effected from him. Nor any recovery has been effected from him. He was not named in either of the FIRs bearing Nos.133 and 303, nor any role had been attributed to him. The disputed documents were alleged to be forged and fabricated prior to March, 2022 and the petitioner had no form of relationship with the co-accused at that time and, therefore, there was no question of his hatching any conspiracy with them or forging any document. The proceedings by way of civil suit to crystalize the rights of the complainant-Trust and the alleged fake Trust are still pending. He is not beneficiary of the rights qua those Trusts nor he is involved in day-to-day business of any of the Trust and had been simply representing one of the Trust. There is no revenue record to prove the plea of the complainant qua ownership of land in question. The allegation that the irrelevant witnesses were got summoned by him in totally unrelated cases to perpetuate the fraud, are totally wrong. He is in custody since 25.07.2025. The chances of



conclusion of trial in the near future are bleak as only 02 out of 145 prosecution witnesses have been examined so far. He has a permanent abode and there are no chances of his absconding. His further incarceration would not serve any useful purpose. His involvement in other cases cannot be considered to be a reason for denying benefit of bail. It is, therefore, argued that the petition deserves to be allowed.

10. Per contra, learned Special Public Prosecutor for CBI and learned Senior counsel for the complainant have argued that the allegations against the petitioner are quite serious in nature as by conniving with the co-accused and in order to cause wrongful loss to the complainant, the petitioner who was representing the co-accused in a civil suit, shifted the adjudication from DeraBassi Court to Bathinda Court and in connivance with the co-accused Neeraj Kumar Singhal and Paramveer Singh, bankers of the complainant Trust, got recorded false statements in favour of the accused persons. It is also argued that the petitioner then colluded with co-accused Kavita, who had filed a complaint under the provisions of Domestic Violence Act, totally unrelated to the case of the matter relating to the property of the complainant Trust and got summoned witnesses in that case for the purpose of extracting false statements and for procuring the record of the complainant Trust that was a genuine Trust. It is argued that the antecedents of the petitioner are not clean. It is further submitted that there are also chances of petitioner's tampering with evidence or intimidating the witnesses, if



extended benefit of bail. With these broad submissions, it is stressed that the petition does not deserve to be allowed.

11. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

12. The petitioner is alleged to have colluded with the co-accused, who had prepared fake and false documents to mimic those of the legitimate Trust i.e. the complainant-Trust. In pursuance of the conspiracy so hatched, he is alleged to have made efforts to legalize forged documents by shifting the forum of adjudication from Dera Bassi Court to Bathinda Court, by summoning the witnesses from banker of the complainant-Trust and manipulating them to record false statements, and further by manipulating other witnesses, who were parties in the unrelated litigation. He is also alleged to have tried to manoeuvre a material witness Prabhdeep Singh. The allegations *prima facie* make out a case of formation of an organized criminal network by the petitioner with the co-accused to grab the land of the complainant-Trust. Being an Advocate by profession, he is presumed to be well-aware about the consequences of the actions done by him, by manipulation of the legal proceedings, obviously with intent to influence judicial outcome to the detriment of the complainant-Trust. Taking into consideration the nature of the subject offences, the active role attributed to the petitioner and the attendant facts and circumstances, this Court is of the considered opinion that the petitioner does not deserve to be extended benefit



of bail. Accordingly, finding no compelling ground to allow the present petition, the same is dismissed.

13. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

14. Since the main petition has been dismissed pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

27.07.2026
Amit Sharma

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