



CRM-M-53383-2024 -1-

246

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53383-2024

Date of Decision:- 16.12.2024

HASAN MOHAMMAD & ANOTHER

...Petitioners

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sahil Gupta, Advocate for the petitioners.
Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

AMARJOT BHATTI, J. (Oral)

1. Petitioners – Hasan Mohammad and Juhari have filed the instant petition under Section 483 of BNSS, 2023 for grant of regular bail in FIR No.297 dated 16.06.2018 under Sections 420, 467, 468, 471, 201, 409 and 120-B of IPC registered at Police Station Dharuhrea, District Rewari.

2. As per facts of the case, complaint is filed by State Bank of India levelling allegations that petitioners obtained loan from the Bank on the basis of fake revenue record showing their ownership regarding property in excess. Documents were verified and ultimately loan of Rs.60,000/- was sanctioned under Kisan Credit Card Loan. Accused persons showed increased area i.e. 4.75 hectare by forging revenue record. In this way, accused persons cheated Bank and used fake documents to procure loan.

3. Learned counsel for petitioners argued that they are falsely roped in this case. In-fact, fake documents were prepared by others without knowledge of present petitioners. It is pointed out that Jafaru Deen Khan and Mohmmad Habib Khan, who allegedly prepared fake revenue record, are

granted regular bail vide orders dated 27.05.2022 (Annexure P-2) and



CRM-M-53383-2024 -2-

12.07.2022 (Annexure P-3) respectively. Even otherwise co-accused Ram Niwas, Manager and Nitin Narayan, Field Officer were also granted bail vide order dated 04.01.2019 (Annexure P-4) and 18.01.2019 (Annexure P-5) respectively. Present petitioners are also ready to abide by the terms of bail order. Therefore, their regular bail application may be allowed.

4. Bail application is opposed by learned counsel representing State. Status report is filed. It is confirmed that present petitioners joined investigation and were arrested on 23.08.2024. There are specific allegations against them for preparing fake revenue record to procure loan of Rs.60,000/-. Present petitioners were the beneficiaries. Considering the allegations, they are not entitled to be released on bail.

5. I have considered the arguments and have gone through the record. Present petitioners have already joined the investigation. They were arrested on 23.08.2024 and till date they are behind the bars. As per status report, challan against co-accused was presented on 02.11.2020 whereas regarding present petitioners supplementary challan has been presented on 03.10.2024. Trial of this case may take some time. Therefore, without going on merits of case, regular bail application filed by petitioners Hasan Mohammad and Juhari is allowed and they are ordered to be released on bail to the satisfaction of trial Court/Duty Judge, concerned.

16.12.2024

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Whether speaking/reasoned:

Whether reportable:

Yes/No.

Yes/No

(AMARJOT BHATTI)
JUDGE