



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

109+205

CRM-M-9304-2025 (O&M)

Date of decision: 11.07.2025

Kailash Nath Chaturvedi

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Puran Singh Hundal, Sr. Advocate with
Mr. Gursahib Singh Hundal, Advocate,
Ms. Arshpreet Kaur, Advocate and
Mr. Kanwar Harjinder Singh, Advocate
for the petitioner.

Mr. Yuvraj Shandilya, AAG, Haryana.

MANJARI NEHRU KAUL, J.

CRM-26054-2025

For the reasons mentioned in the application, the same is allowed and the documents mentioned therein are taken on record as Annexures P-8 to P-16, subject to all just exceptions.

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1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.144 dated 02.06.2024 under Sections 81/82 of the Registration Act, 1908, Sections 177, 420, 423, 467, 468, 471 of the IPC registered at Police Station Sector 40, Gurugram.

2. The petitioner was initially granted interim bail on medical grounds by this Court by the order dated 21.05.2025, which was further extended by the order dated 07.07.2025, in light of his continuing



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medical complications and the fact that the investigation stood concluded.

3. Learned senior counsel for the petitioner has drawn the attention of this Court to the latest medical report dated 11.06.2025, annexed as Annexure P-11, which reflects continued deterioration in the health condition of the petitioner. In addition to his pre-existing chronic ailments, such as hypertension and diabetes mellitus, it has been asserted by the learned senior counsel that the petitioner recently underwent a urological surgery, including Cystoscopy + OIU + Endodilation of Urethra + Left RGP + DJ Stent. He has been advised to carry a urine bag for an additional month, and removal of the DJ Stent is scheduled after a three month period. In support, learned senior counsel has drawn the attention of this Court to the discharge summary of the petitioner, annexed as Annexure P-10.

4. It is further submitted that the investigation has been concluded and the challan was presented on 01.03.2025. The case of the prosecution rests entirely on documentary evidence, with no recovery pending at the instance of the petitioner. Moreover, learned senior counsel has asserted that out of the 54 prosecution witnesses cited, none have been examined till date. It has also been urged that since the petitioner has not misused the concession of interim bail granted by this Court earlier, and considering his current medical condition, further incarceration would serve no useful purpose. A prayer is, thus, made for the grant of regular by taking a compassionate view.



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5. *Per contra*, learned State counsel, upon instructions, has not disputed the medical condition of the petitioner as reflected in the reports which are annexed with the petition. It has also not been disputed that the petitioner underwent a urological surgical procedure, is presently using a urine bag, and has been advised to retain the DJ Stent for a period of three months. It has also not been controverted that the case against the petitioner is based on documentary evidence, investigation is complete, and the challan has been presented.

6. However, learned State counsel has highlighted the gravity of the allegations levelled against the petitioner. It is submitted that the petitioner is the prime conspirator and along with the co-accused, is involved in a premeditated fraud aimed at usurping land belonging to a society through forged and fabricated documents. It has been submitted that the petitioner, being an authorised signatory, facilitated the operation of various firms and extended financial assistance to further the conspiracy.

7. I have heard learned counsel for the parties and perused the relevant material on record.

8. Admittedly, as per the material on record and as not disputed by the learned State counsel, the petitioner suffers from multiple serious health conditions, including chronic hypertension, diabetes mellitus, and recent post-operative complications arising from a urological surgery. The medical reports on record, including Annexures P-10 and P-11, indicate that the petitioner is under constant medical observation, and further medical intervention is anticipated.



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9. It is further not disputed that the investigation in the present case stands concluded, and the challan was presented on 01.03.2025. No further recovery is pending at the instance of the petitioner. Till date, not a single prosecution witness has been examined. The entire case, as not disputed by the learned State counsel against the petitioner, is based on documentary evidence, which is already part of the challan. In view of the number of witnesses cited (54 prosecution witnesses in total), it is evident that the trial is not likely to conclude in the near future.

10. The learned State counsel has not brought to the notice of this Court any misuse of liberty by the petitioner during the period of interim bail, which was granted to him vide order dated 21.05.2025.

11. Accordingly, in the totality of the circumstances, especially the undisputed medical condition of the petitioner who is aged 73 years, this Court finds it appropriate to grant the concession of bail to the petitioner.

12. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing fresh bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned, subject to the following stringent conditions :

- (i) The petitioner shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to the Court or to any investigating agency.



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- (ii) The petitioner shall remain present before the learned Trial Court on each and every date of hearing.
- (iii) The petitioner shall not seek unnecessary adjournments or cause delay in the proceedings.
- (iv) The petitioner shall not leave the country without prior permission of the learned Trial Court; he shall surrender his passport, if not already surrendered.
- (v) The learned Trial Court shall insist on furnishing of two heavy local sureties, and may impose any additional condition as it deems fit.

13. In case the petitioner is found involved in any other criminal activity during the pendency of the trial or violates any condition imposed herein, the prosecution shall be at liberty to move an appropriate application seeking cancellation of bail.

14. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

15. Pending applications, if any, stand disposed of.

11.07.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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