

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

2025:PHHC:040576



(235)

**CRM-M-10448-2025**

**Date of Decision: 25.03.2025**

Anuj

--Petitioner

Versus

State of Haryana

--Respondent

**CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.**

Present:- Mr. N.P. Bhardwaj, Advocate for petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

Mr. Arun Luthra, Advocate for the complainant.

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**MANJARI NEHRU KAUL.J (Oral)**

The petitioner is seeking the concession of regular bail, filed under Section 483 BNSS, in case FIR No.316, dated 12.08.2024, under Sections 120-B, 406, 420, 506 IPC, registered at Police Station, Ladwa, District Kurukshetra.

2. Short reply by way of affidavit of Sh. Roshan Singh Hooda, Dy.S.P., District Jail, Kurukshetra on behalf of respondent-State has been filed in Court today. Same is taken on record subject to just exceptions.

3. Learned counsel for the petitioner submits that the entire case of the petitioner hinges on documentary evidence which is already part of the challan. The challan was presented on 02.01.2025 in the present case, however, till date the trial has not proceeded as the charges are yet to be framed. Counsel has contended that the possibility of the trial concluding in the near future in the given circumstances does not arise more so when as

many as 30 prosecution witnesses have been cited by the prosecution.

4. While drawing the attention of this Court to the allegations levelled in the FIR in question (Annexure P-1), counsel has submitted that the only allegation against the petitioner is of having received a sum of Rs.24 lacs which was transferred into his account by co-accused Kashmiri Lal (father of the petitioner). It has been contended that other than this, no allegation much less of soliciting investments in a stock trading scheme, has been attributed to the petitioner.

5. Furthermore, it has been submitted that the petitioner, who is a 20 years old young boy is suffering from serious medical ailments in which regard he is being treated at PGIIMS, Chandigarh as well as at Civil Hospital, Ambala.

6. *Per contra*, learned State counsel assisted by learned counsel for the complainant, while opposing the prayer and submissions made by the counsel opposite, on instructions has not disputed the custody period of the petitioner nor has it been disputed that the challan in the present case stands presented; the only role attributed to the petitioner is of having received Rs.24 lacs from the co-accused Kashmiri Lal, who is none other than his father. Learned State counsel has not disputed the factual aspect of the role attributed to the petitioner other than the transfer of Rs.24 lacs by co-accused into the bank account of the petitioner. No other incriminating material has been collected against the petitioner. However, allegations made in the FIR have been reiterated by learned State counsel as well as learned counsel for the complainant. Learned State counsel has further reiterated that all the accused had induced the investors to invest large sums of money and thereafter misappropriated their hard earned money.

However, it has not been disputed, on instructions, that the entire case of the prosecution, specifically against the petitioner is based on documentary evidence, which is already part of the challan. Learned State counsel has also not disputed the medical condition of the petitioner which stands detailed in the affidavit, which has been filed today by the jail authorities.

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

8. The petitioner has been in custody since 07.11.2024 in a Magisterial trial. Investigation in the present case is complete. The entire case of the prosecution hinges on the documentary evidence, therefore, there can be no apprehension of the petitioner tampering with the evidence, if, admitted to bail.

9. In view of the facts and circumstances enumerated herein above, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. 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.

10. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

**(MANJARI NEHRU KAUL)**  
**JUDGE**

**25.03.2025**

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| Whether speaking/reasoned: | Yes/No |
| Whether Reportable:        | Yes/No |