

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

2025:PHHC:117444



207

CRM-M-10434-2025

Date of decision: 01.09.2025

Manohar Lal

....Petitioner

V/s

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Abhaysher Singh Advocate for the petitioner.

Mr. Jaypreet Singh, DAG, Punjab.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of BNSS 2023 for grant of regular bail to the petitioner in case bearing FIR No.33 dated 13.05.2022, registered for the offences punishable under Sections 420 of IPC (Sections 120-B, 201 of IPC added lateron) at Police Station Chamkaur Sahib, District Rupnagar.

2. The case set up in the FIR in question (as set out by the petitioner in the present petition) is as follows:-

*“Copy of complaint, "Complaint no. 61/SSP dated
11.01.2021 from Sajjan Singh s/o Tela Singh resident of Village*

Klaran, Police Station Morinda, District Rupnagar, was received which is as follows, "To The D.C. Rupnagar, District Rupnagar. Subject: Complaint against Finance Company. Sir, It is requested that I am Sajjan Singh s/o Late S. Tela Singh is resident of Village Klaran Tehsil Morinda District Rupnagar and I am making a humble request before you. Sir one finance company namely LIFECARE ESTATE INDIA LTD with registration number U70109PB2012 PLC 036941 having registered office at JASPAL AUTO BUILDING, FIRST FLOOR, DEVI WALA ROAD, NEAR BUS STAND, KOTKAPURA 151204, PUNJAB (INDIA) Phone: 01635-505334 Toll Free No. 18002121013, www.lifecareindia.biz, which was also operating near Verma Typist CHamkaur Sahib. Balram Singh resident of village Kotli Near Khant-Manpur having mobile no. 9855681425 and one Gurjeet kaur resident of Mangarh-0 Matota mobile no. 88472-43835, both told me about this company and also told me that they are responsible officers of the company. It is our responsibility that your money remain safe. On 30/04/2006 they issued me a policy for 5 years. At the time of instalment Balram Singh used to call and inform me always and Gurjit Kaur used to collect instalment money from my home. She always used to take Rs. 100/-extra as her petrol expenditure. On completion of term of policy they ran away after locking their Office. Now they are not even attending phone calls. Therefore I am making a humble request to you that my amount of Rs. 90,000/- along interest be recovered for me. Receipt No. and list of date are as follows: S.No. 1 Receipts No. 9438 dated 30.06.2014, S.No. 2 Receipt no. 19850 dated 30.12.2015, S.No. 3 Receipt No. 1985 dated 30.12.2015, S.No. 44102 dated 28.01.2016, S.No. 5 receipt no. 44157 dated 29.02.2016, S.No. 6 receipt 44219 dated 08.04.2016, S.No. 7 receipt No. 54245, S.No. 8 Receipt No. 54140 dated 31.05.2016, S.No. 9 Receipt No. 54194 dated 23.06.2016, S.No. 10 Receipt no. 16130 dated 26.07.2016, S.No. 11 receipt no. 16131 dated 26.07.2016, S.No. 12 receipt no. 16132 dated 26.07.2016, S.No. 13 receipt 16133 dated 26.07.2016, S.No. 14 receipt 16134 dated 26.07.2016, S.No. 15 receipt no. 1886 dated 30.07.2016, S.No. 16 receipt no. 392 dated 28.08.2016, S.No. 17 receipt no. 7523 dated 07.11.2016, S.No. 18 receipt no. 7553

dated 26.11.2016, S.No. 19 receipt no. 2554 dated 26.11.2016, S.No. 20 receipt no. 58 dated 07.12.2016, S.No. 21 receipt no. 59 dated 07.12.2016, S.No. 22 receipt no. 60 dated 07.12.2016, S.No. 23 receipt no. 61 dated 07.12.2016, S.No. 24 receipt no. 24 dated 07.12.2016, Applicant: Sd/- Sajjan Singh s/o Late S. Tela Singh village Klaran Tehsil Morinda, District Rupnagar.”

3. Learned counsel appearing for the petitioner has submitted that the petitioner is in custody since 17.12.2022. He has further iterated that the petitioner was Managing Director of the company in question and he was not directly concerned with the activities taking place in the Ropar Branch, as the Head Office of the company was in Faridkot. Learned counsel appearing for the petitioner has further argued that total 14 prosecution witnesses have been cited out of only 8 were examined, whereinafter an application under Section 319 Cr.P.C. was allowed on 24.04.2025 qua Gurjeet Kaur and, thus, there would be *denovo* trial. Hence, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature and, thus, he does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 01.09.2025 in Court, which is taken on record.

5. I have heard counsel for the rival parties and have gone through the available records of the case.

6. The petitioner was arrested on 17.12.2022 and is in continuous custody. Thereafter, investigation was carried out and challan was presented on 13.02.2023 wherein total 14 prosecution witness have been cited, out of which 8 have been examined till date. With the grant of

application under Section 319 Cr.P.C., it is not disputed that there would be *denovo* trial. It is not in dispute that the trial in question is magisterial one. The rival contentions raised at Bar give rise to debatable issues shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per custody certificate dated 01.09.2025 filed by the learned State counsel, the petitioner is shown not to have undergone a single day in the FIR in question. However, it is not in dispute that the petitioner is in custody since 17.12.2022 in the present FIR, thus, for the purpose of deciding the present bail application, this Court deems it appropriate to consider that the petitioner is in custody since December, 2022 in the FIR in question. Further, as per the said custody certificate the petitioner is stated to be involved in multiple FIRs. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586***; a Division Bench judgment of the Hon'ble Calcutta High Court in case of ***Sridhar Das v. State, 1998 (2) RCR (Criminal) 477*** & judgments of this Court in ***CRM-M No.38822-2022*** titled as ***Akhilesh Singh v. State of***

Haryana, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

Suffice to say, the further detention of the petitioner in custody is not required in the facts and circumstances of the case.

7. In view of the above, the petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.
- (viii) The petitioner shall submit, on the first working day of every month, an affidavit, before the concerned trial Court, to the effect that she has not been involved in commission of any offence after being released on bail. In case the petitioner is found to be involved in any offence after her being enlarged on

bail in the present FIR, on the basis of her affidavit or otherwise, the State is mandated to move, forthwith, for cancellation of her bail which plea, but of course, shall be ratiocinated upon merits thereof.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

September 01, 2025
Naveen

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