

2025:PHHC:058124



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

207

CRM-M-12364-2025

Date of decision: May 03, 2025

PADAM SINGH NARWAL

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sunil Kumar Nehra, Advocate with
Mr. Rahil Mahajan, Advocate
Mr. Arjun Dosanj, Advocate
Ms. Meghna Nehra, Advocate
for the petitioner.

Mr. Rajat Gautam, Addl. A.G., Haryana.

MANJARI NEHRU KAUL, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.172 dated 18.09.2021 under Sections 120-B, 420, 467, 468, 471 and 34 of the IPC, 1860, registered at Police Station Sector-27, District Sonapat(Annexure P-1).

2. Learned counsel for the petitioner contends that the petitioner has been in custody since 06.01.2025 in an apparent case of false implication. It has been submitted that the case of the prosecution is based entirely on documentary evidence, which has already been collected by the investigating agency and is now part of the challan, which stands presented before the learned trial Court. It has also been submitted that co-accused Satyawrat Kundu, who is identically placed as the petitioner, is already on anticipatory bail. Learned counsel still further submits that in the aforementioned facts and circumstances, further incarceration of the petitioner would serve no useful purpose as charges are yet to be framed, coupled with the fact that as many as 19 prosecution witnesses have been cited and therefore, trial would take considerable time to conclude.



3. In addition, learned counsel for the petitioner has submitted that due to previous history of strained relations, the instant case has been planted upon all the accused including the petitioner; the only incriminating material, if any, collected against the petitioner is his mobile phone number, which was given in the tender documents.

4. *Per contra*, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, on instructions, has not disputed the custody period of the petitioner, and also that the entire case of the prosecution hinges on documentary evidence, which is part of the challan, since presented before the learned trial Court. However, he has submitted that the petitioner is the main conspirator. Learned State counsel has further reiterated the allegations levelled in the FIR (Annexure P-1), which stands reproduced hereinunder: -

“To the Senior Superintendent of Police, District Police, Sonapat. Subject: Complaint in connection with the Catering Services, Restaurant, Party Hall, Area Bar and Lawn in Gymkhana Club Sector-6, Sonapat, Manager with of officers and the connivance Club Gymkhana of the and other and employees fake contractors, regarding investigation of tenders and misuse of name of Haryana Manpower Services and filling of tenders and fixing of work by preparing forged documents and manipulation of Gymkhana Club and for taking legal action against them. Sir, it is requested that our firm Haryana partnership Services Manpower firm registered is by a the Government of Haryana, which has been working in various government and non- government departments of Haryana for the last 17 years to provide various types of services and during this time any there has also been no complaint against us from any of the department and all the work allotted to our agency has been completed satisfactorily. Sir, it is brought to your notice that tenders were invited by Gymkhana Club Sonapat on 2nd August 2016 for catering services, restaurant/party hall area bar and lawn for three years and bids the submitted on 6th August 2016 by 3.00 PM, was to be done. But the bid was not deposited in this tender by our agency. But with the connivance of the manager of Gymkhana Club and other officers and employees, bids were the technical and financial submitted by the fake contractor by misusing the name of our firm Haryana Manpower Services and by preparing false and forged



documents and by forging signatures of the tender documents as directors, were deposited in the gymkhana office. While our agency did not even fulfill the technical bid conditions of the said tender, but in connivance with them, the conditions of technical bid were fulfilled by preparing fake experience certificate from PANS DELICIA PVT. LTD. Sector-22-A Gurgaon and for tender the security amount was deposited after getting EMD/Security and rent etc. prepared from other fake accounts and on the basis of these fake documents, with the help of above, the work was fixed in the name of our firm by making fake agreements. The above matter came to my notice when I received a show cause notice by Gymkhana Club Sonapat vide their letter no. 120 dated 10-01- 2020, copy of which is enclosed. Immediately after receipt of the notice, I had submitted the reply to the show cause notice on 27-01-2020 in the office of Gymkhana Club in his diary number 553 dated 27-01-2020, copy of which is attached Annexure "B". In addition to the above, Extended AWW letter in continuation of No.295/HMS dated 01-03- 2020 was sent to Gymkhana Club, Sonapat, copy of which is enclosed as Annexure "C". After perusing the records by me, the phone numbers 9315505005 and 90349- 02575 were found on the tender document, from which it was found that all the above manipulations were done by Satyawrat Kundu and Padam Singh Narwal in connivance with the manager and other officers and employees of Gymkhana Club. It has also come to know that with the help of Gymkhana Manager by the said fake persons, from the date 02-10-2016 to 01- 10-2019, the said work was being done in the name of our firm and it was also learned that Gymkhana Club had a total of Rs.2324250/- was to be deposited by the above fake persons in fees, rents and other liabilities. But Rs.150999/- was deposited by the said fake persons and the liability of Rs.1128281/- was not deposited by the said fake persons in Gymkhana Club and Rs.37 lakh was asked to deposit by me to Gymkhana Club vide letter no.120 dated 10-01-2020. To which I replied Annexure "C". But due to the connivance of Gymkhana Manager, I have received second show cause notice No.12 dated 17-03-2021 for unilateral recovery by denying the facts given by me, copy of which is Annexure "D" is attached to which I have replied letter no.HMS 464 dated 26-03-2021, copy of which is attached Annexure "E", on which without taking any action by Gymkhana Club, in view of the above fact, unilateral notice no.24 dated 13-08-2021 has been received deliberately, copy of which Annexure "F" is attached. It is a matter of regret that the tenders for the above subject work were neither filled by any of my legal officers or employees in Haryana Manpower



Services and have we never worked in Gymkhana Club nor did the above work in technical bid, nor any amount like EMD/Security amount, rate etc. has ever been deposited in Gymkhana Club from my account or my agency's account. So in view of requested the above to facts, take care of you are the said matter. By getting the investigation done by a higher officer, the officer/employee and persons, against and guilty the guilty fake the contractors necessary action should be taken under the law at the earliest and considering the seriousness of the matter, FIR should be against lodged the guilty officers/employees and fake contractors in the concerned police station.”

5. On further instructions, it has also not been disputed by the learned State counsel that co-accused Satyawrat Kundu has already been enlarged on anticipatory bail by this Court vide order dated 16.01.2025, while another co-accused has been granted regular bail by the learned trial Court.

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

7. The petitioner has been in custody since 06.01.2025 in a magisterial trial. The case of the prosecution is based on documentary evidence, which is part of the chargesheet; there can be no possibility of the petitioner therefore tampering with the evidence. The possibility of the trial concluding in the near future does not arise as 19 prosecution witnesses have been cited and none have been examined so far.

8. In the facts and circumstances as enumerated hereinabove, this Court, therefore, deems it fit to extend the concession of regular bail to the petitioner.

9. Accordingly, 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.

10. 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.



11. Needless to add here, in case the petitioner is found misusing the concession of bail, the State would be at liberty to approach this Court to seek cancellation of bail to her.

May 03, 2025
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*