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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-12678-2025 (O&M)

Date of Decision: 27.03.2025

SONI SINGH ALIAS DALER SINGH

.. Petitioner

Vs.

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Prateek Pandit, Advocate for the petitioner.

Mr. Inderjeet Singh Ladher, DAG, Punjab.

...

SUMEET GOEL, J. (Oral)

1. Present petition has been filed under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in case bearing FIR No.76 dated 17.07.2023, registered for the offences punishable under Sections 420, 465, 467, 468, 471 and 120-B of IPC at Police Station Dehlon, District Ludhiana.
2. The case set up in the FIR in question (as set out by the petitioner in the present petition) is as follows:-

“Today, an application bearing PGD, No.145678 complaint NO. 141730 dated 13.04.2023+ PGD No. 144007 complaint NO. 140219 dated 14.04.2023 from Harbans Singh son of Pritam Singh resident of village Paddi, Police station Dehlon, District Ludhiana has been received at Police station after inquiry by the officials and by orders of Worthy Commissioner of Police Ludhiana for registration of case, the contents of which are, "to Worthy Commissioner of Police, Ludhiana Subject: Application against concerned Bank Manger, other employees, clerk of Canara Bank, Branch Kapurthala and concerned fake person namely Soni Singh son of Sarban Singh regarding withdrawal of RS.81,50,000/- through cheque no. 443901 in a wrong and fraudulent manner. Sir, your goodself is requested as follow: 1) That I am Harbans Singh son of Pritam Singh resident of village Paddi District Ludhiana. I have an agricultural property at village Paddi, Tehsil and District Ludhiana, out of my this land, some of the area was acquired by the National Highway Authority of India 2) That as per the rules of National Highway Authority of India, the concerned department has given powers to the D.R.O. Branch Ludhiana for payment of compensation. According to the rules of this department, it is used to take cancelled cheque of bank account, bank passbook, affidavit, aadhar card and PAN card etc. from the person whose land has been acquired. 3) That to receive the compensation of my acquired land, I had



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submitted the relegated documents to the D.R.O. Branch, Ludhiana. Wherein, I had submitted a cancelled cheque of my A/cs NO.110047368743, Canara Bank, Branch Paddi, District Ludhiana to the D.R.O. Branch Ludhiana. After sometime upon completion of entire formality, the compensation towards my acquired land was credited into this account. 4) That I have mobile No.98559-91233, which I had given to the bank for this account. On 05.04.2023, my phone got deactivated, upon which, I thought that the phone has been deactivated due to some company's defect. 5) That my brother Manjeet Singh has also account in this bank. This bank is situated in our village and the Bank Manager knows very well about our accounts, due to which, the Manager of our village Bank made a phone call to my brother on 06.04.2023 to the effect that your brother's phone is coming switched off. Have your brother purchased land somewhere else, because an amount of Rs.81,50,000/- from your brother's account has been transferred to some another account. My brother Manjeet Singh immediately came to me and told me about the transfer of Rs.81,50,000/- from my account, due to which, I became stunned and upset that I didn't get transfer any amount and nor I have given any cheque to anyone regarding this amount. 6) That at the same time, I and my brother rushed to the bank and enquired about this. Then we came to know that some person namely Soni Singh son of Sarban Singh has prepared a forged cheque belonging to me. He has prepared the same cancelled cheque No.443901, which I had given to D.R.O.Branch Ludhiana. The said person has also affixed my fake signatures upon this forged cheque and got transferred Rs.81,50,000/- into the A/cs No.110106497503, Canara Bank, Kapurthala Branch through this forged cheque. In this account, the mobile NO. 98159-51935 is mentioned. I came to know about all these facts after visiting the bank that this person got encashed this forged cheque by mentioning date as 05.04.2023 thereupon. 7) That in this entire cheating and forgery there seems the involvement of Bank Manager and concerned employees of Kapurthala bank branch because they have transferred such a big amount of Rs.81,50,000/- into the bank account of said person without any verification by the bank employees, whereas, as per rules of the bank, the bank employees are required to obtain the consent of cheque issuer over the phone regarding encashment of cheque exceeding Rs.5,00,000/-. Due to deactivation of my phone for two days, I think that my phone was hacked by the person committing forgery. 8) That at present, the entire matter is required to be inquired thoroughly so that the entire truth may come forth may be trace out. I request your goodself that to take strict action against all The above said persons, who are involved in conspiracy of this offence, by registering a case and deliver me justice. Your faithfully, sd/- Harbans Singh son of Pritam Singh R/o village Paddi, District Ludhiana Mb. No. 89680-48800."

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 24.09.2023. Learned counsel for the petitioner has further argued that when the police was unable to exactly solve the case, the petitioner was named as an accused by the concerned Investigating Officer to save his own skin. Learned counsel for the petitioner has further argued that, in fact, the main accused is one Vishal Dhingra with whom the complainant has entered into a compromise and the said fact is reflected into order dated 06.03.2025 passed by the Court of Smt. Nirmala Devi, JMIC, Ludhiana, Punjab. Learned counsel for the petitioner has further



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iterated that the petitioner has clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail.

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

6. The petitioner was arrested on 24.09.2023 whereinafter investigation was carried out & challan was presented on 22.11.2023. Total 23 prosecution witnesses have been cited out of which only 4 are stated to be examined till date. It is indubitable that the culmination of the trial, but of course, will take its own time. The contentions raised by rival parties give rise to debatable issues which 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 remaining prosecution evidence. As per the custody certificate dated 26.03.2025 filed by the learned State counsel, the petitioner has suffered incarceration for more than 01 year, 05 months and 25 days & is not shown to be involved in any other case. Suffice to say further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the present case.

7. In view of totality of factual matrix of the present case, the instant petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld.

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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 cellphone 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.

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.

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- 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.

27.03.2025
Jasmine Kaur

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No