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

CRM-M-17349-2025 (O&M)

Date of decision : 02.04.2025

Senthil Kumar Shankar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vidur Sanjeev Kamra, Advocate, for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

Mr. Rishab Raj Jain, Advocate (through video
conferencing) and

Mr. Naveen Sharma, Advocate for the complainant.

MAHABIR SINGH SINDHU, J.

Present petition under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (*for short, 'the B.N.S.S.'*) has been
filed for grant of pre-arrest bail to the petitioner in FIR No. 319 dated
09.11.2023, registered under Sections 420, 467, 468, 471, 511 and 120-
B of Indian Penal Code, 1860, at Police Station Sector 17-18, District
Gurugram.

(2) Status report by way of affidavit dated 31.03.2025 of
Abhimanyu, HPS, Assistant Commissioner of Police, EOW-I and II,
Gurugram, already filed on behalf of respondent, is taken on record.

Copy thereof supplied to the opposite side.

Registry to do the needful.



(3) Allegations are that petitioner in connivance with co-accused got prepared false and forged 'Bank Guarantee' to the tune of Rs.10 Crore purported to be issued by HDFC Bank, Gurugram.

(4) Learned counsel contends that petitioner was not named in the present FIR; rather he has been nominated on the basis of third disclosure made by co-accused, namely, Suresh Babu & Mausam Chakraborty. Also contends that as on today, there is no material with the police regarding complicity of the petitioner.

(4.1) Also contends that petitioner has to maintain two minor children and he is having clean records. Again contends that petitioner was simply rendering the consultancy services and apart that he is a farmer, stationed at Coimbatore; thus, he is not even remotely connected with the commission of alleged crime.

(5). *Per contra*, learned State counsel while opposing the prayer submitted that petitioner has actively participated in the commission of crime, inasmuch as, it is he (petitioner), who had supplied the format of fake bank guarantee; thus, his custodial interrogation is very much necessary to know the true facts.

(6). Similarly, learned counsel for the complainant also opposed the prayer while submitting that custodial interrogation of the petitioner is required to verify the complete chain for commission of crime.

(7). Heard learned counsel for the parties and perused the paper-book.



(8). There is no quarrel that petitioner was not named in the FIR and he has been nominated during investigation on the basis of statement made by co-accused, namely, Suresh Babu and Mausam Chakraborty. As on today, *prima facie*, it is quite discernible that petitioner actively participated in the commission of crime while supplying the format of bank guarantee and that is the only basis for defrauding the HDFC bank to the tune of Rs.10 crore.

(9). Since huge public exchequer is involved, therefore, this Court is convinced that custodial interrogation of the petitioner would be necessary to reveal the truth. Resultantly, there is no option except to dismiss the present petition.

(10). Ordered accordingly.

(11). The above observations be not construed as an expression of opinion on the merits of the case in any manner.

Pending application(s), if any, shall also stand disposed off.

02.04.2025

d.gulati

Whether speaking / reasoned :

Whether Reportable :

(MAHABIR SINGH SINDHU)
JUDGE

Yes No

Yes No