

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

2025:PHHC:146091



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CRM-M-30056-2023

Date of decision: 27.10.2025

Gaurav Chhabra @ Gaurav Chabra
V/s

...Petitioner

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Priyanshu Kamra, Advocate for the petitioner.

Mr. Amit Kumar Goyal, Addl. AG, Punjab.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 439 of Cr.P.C. on behalf of the petitioner for grant of regular bail in case bearing FIR No.95 dated 20.05.2017, registered for the offences punishable under Sections 420, 120-B of IPC at Police Station City Faridkot, District Faridkot.

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 No. 331-PC 8/17 Dated 27.02.17 by Judge Singh son of Major Singh resident of Street No. 4/7, House No. 850, Green Avenue Faridkot, District Faridkot, Mobile No.: 70094-63190 after investigation from the Superintendent of Police (Inv.), Faridkot and as per the orders of Shri Nanak Singh, Senior Superintendent of Police, Faridkot regarding filing of the case against Neeraj Arora, Director of

Nature Heights Infra Limited, Sundar Nagar, Abohar, Gaurav Chhabra, Director Nature Heights Infra Limited and Menka Tuli, Authorize by Signatory Heights Infra Limited, Abohar is received at the Police Station which is as follows: To, the Hon'ble S.S.P. Sahib, Faridkot. Subject: Application regarding taking action against: 1 Neeraj Arora Managing Director Nature Heights Infra Limited, Street No. 9, Sundar Nagar Hanumangarh Road, Abohar 2. Gaurav Chhabra (Director) Mobile No. 92166-69420, Menika Tuli Authorize Signatory, Nature Heights Infra Limited Company, Abohar Mobile No. 82880-37617, regarding the fraud of 91 lakh rupees done with collusion. Sir, it is submitted that 1. I am Judge Singh son of Major Singh is the resident of Green Avenue, Street No. 4/7 Tehsil and District Faridkot. 2. That in the Faridkot, MD Neeraj Arora of Nature Heights Infra Limited Company along with accused Gaurav Chhabra, Director Nature Heights Infra Limited son of Shri Chiman Lal Chhabra and Menika Tuli with the intention of dishonesty and defrauding. came at my house to tell the plan of the company. In which they said that MD Sahib had come to visit Faridkot today. So we told them about you that Judge Singh is a very good and resourceful man. Due to this, we have scheduled an appointment to meet you today, in which they told that our company doubles the amount with interest quickly in exchange of rupees and for this, land and property was also given. On which I asked that if this company ignored to return the money later, then who will be responsible, then the said accused persons told that we know everything about MD Neeraj Arora, he is a very good and honest businessman and we do good work in their company and madam Menika Tuli is their sister in law and this businessman runs like a family business. If you found anything wrong regarding this company, then you can withdraw the money with interest by giving time of one month. We have invested a lot of money in this company in Muktsar and other nearby areas. Don't worry because Neeraj Arora's product base company in the name of Nature Way is already operating in every part of India and has a huge name in the market. Many people are making a lot of money with them. On believing upon them, I agreed to invest money in this company and gave them five lakh rupees in the form of a cash

note on the spot. At that time, Sukhbir Singh son of Sukhdev Singh resident of Hukki Wala Chowk, Faridkot and Gurjit Singh son of Mahinder Singh resident of Naraingarh Bhangali, Ferozepur were present at the spot and thereafter, serial wise paid 86 lakhs (in separate projects and plans of the said company) in the name of me and my family members in the form of a cash note to the above said agents deposited in this company by the said agents. On this occasion, the said agents told me that if all this amount will be deposited with us, then you will be given a car worth four lakh rupees from the company in the form of gift, because with this investment of yours, we are also completing a very big target. Until about March 2015, everything was going well and me and my family's bank accounts kept coming in the form of checks from this company. But when in April 2015 when the cheques of the company started getting bounced in our accounts, then I came to know that the work of this company is not going well and the company is cheating in the payment of some people. After that, I inquired for him at the head office of Abohar Company, Rajinder Agarwal and senior head of the company, Ankush Kamra, who were there, said that you should not worry, we know about your investment. But there is some financial problem going on in the company and the company is trying its best to fix everything soon because we have had a meeting with Neeraj Arora today. After that I met madam Menika Tuli and demanded my money back then madam Monika Tuli, Director Gaurav Chhabra who was there assured me that your investment has been done by us. If any such conversation takes place in the company, we will be liable to repay your money along with interest. At this time, Gurmeet Singh resident of Rupana, District Sri Muktsar Sahib, Sukhdeep Singh and Rajinder Agarwal resident of Faridkot were also present at the spot. Believing the words of Madam Monika Tuli and Gaurav Chhabra, I remained silent for some time, but even after some time passed, these alleged agents continued to avoid me, so I started to inquire from the Faridkot company office, but no one listen there and they clearly said that you should talk to the agent who has invested your money. When I spoke to Gaurav Chhabra and Monika Tuli, they said that you should not panic, it will be

done in a week. Please give us time for another week, then I felt that the intentions of these people is not right, but I had no other option but to wait for a week. Believing their words, I waited for one more week. 3. But after a few days, I have started to know through newspapers and television that this company has vacated their office from far away and people's cheques have started getting bounced and the owners and agents of the company and with the connivance of their relatives, they have built many unnamed properties in the name of himself and his relatives with the money of the general public throughout the country and because of this, the money invested by the general public has been stolen illegally with the intention of cheating. Their MD Neeraj Arora is not giving time to meet anyone and is not picking up the phone, so I felt that my rightful earnings will sink. So I asked the accused persons to return my money, so they took responsibility to return my money in one month, but when even after a month, they started avoiding me, I felt that they had invested my money in this company with an intention to cheat me. After talking to them again and again, one day they clearly said that we wanted to cheat, we have cheated you, do whatever you can. From this it seems to me that its alleged agent/accused has defrauded my money by colluding with the MD of the said company, has broken my trust and deliberately cheated me. Therefore, by submitting the application, it is requested that strict legal action be taken against the MD, Director of the said company and the related agents and my rightfully earned money be returned so that I can get justice. I shall be grateful to you. Sd/ Judge Singh Son of Shri Major Singh Resident of Street No. 4/7, House No. 850, Green Avenue, Faridkot, District Faridkot Mobile No. 70094-63190. Dated: 27.02.2017. SP (INV:) Verify and report. Sd/ Sh. Nanak Singh, IPS. Sr. Supdt. of Police, Faridkot.”

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel for the petitioner has further iterated that the petitioner is in custody since 21.10.2022. Learned counsel has iterated that the petitioner

was shown to be a director but he was actually an employee. He has further argued that the FIR in question essentially has civil overtones. Learned counsel has further argued that earlier the petitioner was extended the concession of interim bail vide order dated 06.07.2023 earlier passed by this Court, but he was not able to avail the said benefit on account of lack of means at his end. Thus, 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 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 21.10.2022 and it is not in dispute that he is in custody since then. Whereinafter investigation was carried out and challan was presented on 16.03.2023. It is not disputed that out of total 55 prosecution witnesses cited, only 4 have been examined till date whereas 7 have been given up. It is not in dispute that culmination of trial will take its own time. 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 filed today by the learned State counsel, the petitioner is in custody since the date of his arrest. 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/Illaqa 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.
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

October 27, 2025
Naveen

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