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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26515-2025
Reserved on: 03.07.2025
Pronounced on: 24.07.2025

ROHIT AND ANR.

...PETITIONERS

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Neeraj Yadav, Advocate for the petitioners
Mr. Naveen K. Sheoran, DAG, Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
45	06.02.2025	City Rewari, District Rewari	420/467/468/471/120-B IPC

1. The petitioners incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
2. Per paragraph 11 of the bail petition, the petitioners have no criminal antecedents
3. The facts and allegations are being taken from the order dated 06.05.2025 passed by the Additional District and Sessions Judge, Rewari, which reads as follows:

“ The present case has been instituted on the basis of written complaint bearing No.135-OD dated 20.10.2024 received from complainant Bhagwan Singh Meena, Assistant Commissioner, CGST, Faridabad to Economic Offence Cell, Rewari through Superintendent of Police Rewari, regarding forgery and fraud involving signatures of Commissioner, CGST, Faridabad. As per complaint, the complainant Department had already initiated proceedings against Firm name M/s Saneha Export located at Circular Road Rewari, before cancellation of its registration for evasion of GST amounting to Rs.4,51,71,163/-. During the proceedings it was found that the aforesaid firm was non existent and it has availed in put tax credit of IGST on the basis of fictitious purchase of goods on the basis of fictitious supplier invoices. In further proceedings, the bank account No.39320611917 of the aforesaid firm maintained at State Bank of India, SME, Kaat Mandi Branch Rewari was taken under Section 83 of Central Goods & Services Tax Act (in short CGST Act) vide letters issued to the concerned bank on 28.10.2021, 03.11.2022 and 08.11.2023. While the said freeze order was still operative, conspiracy was hatched to withdraw the credit balance of Rs.3,29,23,465/- from the aforesaid account of the said firm. Thereafter, the unknown persons had prepared false and forged letter dated 22.01.2024 bearing false signatures of Sophia Martin Joy, Commissioner CGST, Faridabad to SBI with directions to allow withdrawal of credit balance of Rs.3,29,23,465/- and caused damage to the

Government exchequer. The matter was revealed when the bank sent E-mail dated 11.03.2024 to the complainant seeking clarification on genuine of letter dated 22.01.2024, which was responded by the complainant that no such letter was issued by their office. Hence, necessary action against the culprit may be taken. On the basis of aforesaid circumstances, the present FIR was registered and investigation was set into motion. During investigation, accused Rohit son of Krishan was arrested on 18.03.2025 and mobile phone used in the crime was recovered. The applicants-accused persons Rohit son of Shamsher and Aman were arrested on 20.03.2025 and other accused persons are yet to be arrested in this case.”

4. The petitioners’ counsel prays for bail by imposing any stringent conditions including surrender of fire arms, if any. In case, they repeat the offence or commit any offence where the sentence is more than 07 years, they would have no objection, if State files an application for cancellation of bail. He further contends that further pre-trial incarceration would cause an irreversible injustice to the petitioners and their family. He further submits that no role has been attributed to the petitioners. He further submits that the co-accused, namely, Sandeep Kumar has been granted anticipatory bail vide order dated 14.05.2025 passed in CRM-M-19317-2025 by this Court.
5. The State’s counsel opposes bail on instructions.

REASONING:

6. There is sufficient primafacie evidence connecting the petitioners with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing. Per paragraph 8 of the bail petition, the petitioners have been in custody since 20.03.2025. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the primafacie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability further pre-trial incarceration at this stage, subject to the compliance of terms and conditions mentioned in this order.
7. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, viz-a-viz pre-trial custody, co-accused granted anticipatory bail and for the reasons mentioned above, the petitionesr makes a case for bail.
8. Given above, provided the petitioners are not required in any other case, the petitioners shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.
9. While furnishing a personal bond, the petitioners shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or	

	considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

10. This order is subject to the petitioners’ complying with the following terms.
11. The petitioners shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioners shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case, or dissuade them from disclosing such facts to the Police or the Court.
12. The significant consideration for granting bail is that the Court aims to give the petitioners another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioners also abides by the assurance made on the petitioner’s behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.
13. ***This bail is conditional and the foundational condition is that if the petitioners indulge in any non-bailable offense, the State shall file an application for cancellation of bail in all FIRs pending against the petitioners before the Sessions Court, which shall be at liberty to cancel this bail.***
14. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.
15. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioners can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.
16. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

24.07.2025
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Whether speaking/reasoned: Yes
Whether reportable: No.