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

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CRM-M-34332-2025 (O&M)
Date of decision : 01.12.2025

Ram Bilas Saini @ Ram Bilash Saini

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Mohit, Advocate
for the petitioner.

Ms. Himani Arora, DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. The instant one is the second petition that has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to him in case bearing FIR No. 1544 dated 20.11.2023, registered under Sections 420, 467, 468, 471 and 120-B of IPC at Police Station City Panipat, District Panipat. The previous petition was dismissed as withdrawn.

2. As per the allegations, co-accused Mandeep and his wife Ravina Chauhan had approached the complainant/bank for availing business loan by offering their immovable property for mortgage. The bank, after scrutiny of the documents, had sanctioned the business loan to the tune of Rs. 16 Lakhs on 27.06.2023. An amount of Rs. 15.25 Lakhs was disbursed on 29.06.2023.

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During the subsistence of the aforementioned loan, co-accused Mandeep and his wife had obtained another loan of Rs.25 Lakhs from ICICI Home Finance Company, Panipat by mortgaging the same property. It was revealed that they had been approaching various other banks and financial institutions with intent to obtain similar benefits and using the same credentials.

3. As per the further allegations, a preliminary inquiry was conducted on receipt of a complaint from the complainant/bank. During inquiry, it was revealed that the above named co-accused had fraudulently edited Registry No. 177 dated 29.04.2021 by inserting the name of one Shamsher Singh as vendor and name of co-accused Mandeep as purchaser and had submitted the forged registry to the complainant/bank. After registration of the FIR, investigation proceedings were initiated. Co-accused Mandeep was arrested on 23.11.2023. He suffered disclosure statement admitting his involvement in the crime. On the basis of his disclosure statement, the petitioner and Ravi, Inam and Sikandar were nominated as additional accused. The petitioner was arrested on 29.11.2024. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of the disclosure statement suffered by co-accused Mandeep, which cannot be considered to be admissible in evidence. He was not named in the FIR. He is not the beneficiary of any transaction. Co-accused Ravi, Inam and Sikandar have been granted concession of bai. On parity, the petitioner too deserves to be given the same benefit. The subject offences are triable by Magistrate. Conclusion of trial is likely to take long time as no prosecution witness has been examined so far.

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His further incarceration would not serve any useful purpose. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

5. *Per contra*, learned State counsel has argued that there are serious and specific allegations against the petitioner. He had suffered disclosure statement to the effect that had connived with co-accused Mandeep, Ravi, Inam and Sikandar and on asking of accused Mandeep, had prepared a sale deed by editing and forging the same. In the said sale deed, co-accused Mandeep was shown as purchaser, whereas Shamsheer Singh was shown as seller of the said property, though the same was actually owned by one Ved Bharti. After getting the loan of Rs.16 Lakhs sanctioned, accused Mandeep had given them their shares. He had received a sum of Rs. 4 Lakhs and had spent the same. There are chances of his absconding or committing similar offences, if released on bail. It is, thus, argued that the petition is liable to be dismissed.

6. This Court has heard the rival submissions.

7. As per the allegations, co-accused Mandeep by hatching conspiracy with the present petitioner and other co-accused, had procured a loan of Rs. 16 Lakhs from the complainant/bank by fabricating and forging documents in the form of a sale deed and by showing himself to be a purchaser of the property. Loss to the tune of Rs. 16 Lakhs was caused to the complainant/bank. The allegations against the petitioner are that he had edited the said sale deed. The subject offences are triable by Magistrate. The petitioner is in custody 29.11.2024. Trial will take considerable time to conclude as none out of 15 prosecution witnesses has been examined so far.

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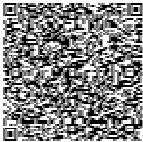


The well settled proposition of law is that bail is the rule and jail is an exception. The continued detention of the petitioner is not going to serve any fruitful purpose since he is not required for further investigation. It is also well settled that the pre-trial incarceration should not be a replica of post-conviction sentencing and the sentence during trial should not be punitive. In view of the above discussed facts, given the nature of the allegations, this Court is of the considered opinion that a case has been made out for grant of regular bail in favour of the petitioner. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned and on the following conditions:-

- (i) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case in any manner whatsoever.
- (ii) he shall not leave the country under any circumstance without permission of the learned trial Court.
- (iii) he shall appear before the learned trial Court as and when directed.
- (iv) he shall provide his address where he would be residing after release and shall not change the same without informing the concerned IO/SHO.
- (v) the petitioner shall upon his release give his mobile phone number to concerned IO/SHO and shall keep his mobile phone switched on all times.

8. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent to seek redressal by filing an

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application seeking cancellation of bail.

9. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

01.12.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No