

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2025:PHHC:133478



209

CRM-M-38649-2025 (O&M)

Date of Decision: 24.09.2025.

Brham Pal

...Petitioner.

Versus

State of Haryana

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. B.S. Ladwal, Advocate
for the petitioner.

Mr. Sunny Namdev, AAG, Haryana.

SUKHVINDER KAUR, J. (Oral)

Present petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioner in FIR No.167 dated 20.05.2025 under Sections 120-B, 406, 420, 467, 468 and 471 of IPC, registered at Police Station Ellenabad, District Sirsa.

As per prosecution case, complainant Jasbir Yadav was posted as State Head in CNH Industrial India Private Limited. Surya Parkash was posted as Relationship Manager in the said company in Sirsa District, whose job was to make new loans, to certify the borrowers, to check the original documents of the borrowers to prepare the proposal and all the proceedings till giving the loan. Accused Surya Parkash in collusion with other accused caused wrongful loss to the company by preparing false documents and misappropriated about 32 tractors in collusion with the

recipient, out of which three tractors had been got purchased from Satguru Automobiles Ellenabad. The loan from the aforesaid tractors had been sanctioned by accused Surya Parkash and after loan amount was released Surya Parkast along with other brokers and accused misappropriated the tractors. When installments of all the aforesaid tractors were missed and the company officials went to verify the address of the owners to collect the installments, then they denied having bought the tractors and told the employees that they were not having tractors and tractors had been misappropriated by preparing fake documents. Hence, the present FIR was registered.

Learned counsel for the petitioner contended that the petitioner is not involved in any manner with the offence in the present case. The petitioner had never committed any act of forgery and in no way participated in procuring sham loans. No recovery is to be effected from the petitioner. He prayed that custodial interrogation of the petitioner is not required and he is ready and willing to join the investigation and the present petition be allowed.

Status report by way of an affidavit of Faisal Khan, IPS, Assistant Superintendent of Police, Ellenhabad, District Sirsa, has been filed on behalf of respondent-State and the same is taken on record.

Learned State counsel has opposed the petition and submitted that recovery of tractors in this case is yet to be effected and in case the petitioner is released on bail, he will not co-operate with the investigation and will not get recovered the tractors and can influence the investigation. He further submits that the petitioner is also involved in another case of similar nature, which is pending against him. The custodial interrogation of

the petitioner is required in this case to unearth the entire conspiracy behind the organized crime and as such he is not entitled to the concession of bail.

Heard.

As per allegations, co-accused Surya Parkash, who was the Relationship Manager in collusion with the petitioner and other co-accused prepared fake loan documents in the names of victims of fraud, obtained documents from them and obtained tractors on loan in their names and then after releasing of the loan misappropriated the tractors. The petitioner was specifically named in the FIR as well as in the disclosure statement of co-accused Surya Parkash. Thus, the petitioner also actively participated in the commission of the alleged crime along with other co-accused. The custodial interrogation of the petitioner is required for fair and proper investigation in the present case and denial of custodial interrogation of the petitioner will adversely effect the investigation in the present case.

Accordingly, the present petition stands dismissed. However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

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

(SUKHVINDER KAUR)
JUDGE

24.09.2025.

Komal

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