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

CRM-M-43394-2025
Reserved on: 10.09.2025
Pronounced on: 18.09.2025

Parveen Kumar ...Petitioner

Versus

State of Haryana …Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Surjeet Singh Chahal, Advocate
for the petitioner (through V.C.).

Mr. Atul Gaur, A.A.G., Haryana.

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ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
30	28.08.2024	Cyber Crime, Fatehabad	419, 420, 467, 468, 471, 120-B, 201 IPC

1. The petitioner 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 12 of the bail application and paragraph 22 of the status report, the petitioner has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1.	44	30.11.2024	318(4), 336(3), 338, 340(2), 61(2) BNS	Cyber Crime Fatehabad

3. The facts and allegations are being taken from the status report filed by the State, which reads as follows:

> "*3. That briefly stated facts of the case are that the present case was TAR registered on the Complaint of complainant namely Parveen Kumar, son of Sheetal Prasad, resident of Tibba Colony, Ratia, District Fatehabad, Haryana, Mobile No. 99921-44425, UID No. 440243238564, PAN No. AYSPK4176F, respectfully submit the following complaint for your kind consideration and necessary legal action: That I am holding a Savings Bank Account No. 50100266390079 with HDFC Bank, Ratia Branch, IFSC HDFC0001479. On 28.07.2024, when I visited the aforesaid bank to check my account, the bank officials informed me that an amount of 3,588/- had been deducted on 28.05.2024. Upon Inquiry, I was told that a personal loan of ₹15,00,000/- was running in my name under Loan Account No. 143482290. I clarified to the bank officials that I had never applied for nor availed any such loan. I did not receive any*

OTP or other verification for the said transaction, nor was any signature or consent taken from me. That upon further verification, it came to my knowledge that while my name, father's name, and PAN card details were used in the said loan account, the address, mobile number, salary slips, photograph, and linked bank account belonged to another person, namely Parveen Kumar, son of Surjan Singh, resident of Ramnagar Colony, Ratia, District Fatehabad. That it appears the said person, in connivance with certain officials of HDFC Bank, tampered with my Aadhaar and PAN card by affixing his own photograph and provided false salary slips and documents to fraudulently secure a loan of ₹15 lakhs. The loan amount was transferred to his account in another bank, and installments are also being paid therefrom. That subsequently, on 27.08.2024, I checked my CIBIL score using my Aadhaar, PAN and mobile number and discovered that my credit score had been adversely affected. On visiting ICICI Bank, I was further informed that another Joan of Rs.19,00,000/- had been taken in Loan A/c No. LPFAT00048395817 and Credit Card No. 0000000027619491, using INDImobile number 89507-42934. These loans too were fraudulently obtained in my name by the same person, Parveen Kumar son of Surjan Singh, by manipulating my Aadhaar and PAN card. That it has become clear that Parveen Kumar son of Surjan Singh, resident of Ramnagar Colony, Ratia, in collusion with certain employees of the loan departments of HDFC Bank and ICICI Bank, has fraudulently obtained multiple loans by impersonating me through forged documents. I had already lodged an online complaint vide Acknowledgement No. 21308240031432 dated 05.08.2024 on the National Cyber Crime Reporting Portal regarding the said fraudulent acts."

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The petitioner's counsel submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

6. The State's counsel opposes bail and refers to the status report.

7. It would be appropriate to refer to the following portions of the status report, which read as follows:

"*5. That, during investigation of the case, it was revealed that the main accused, Praveen Kumar alias Praveen Master son of Sujan Singh, resident of Ram Nagar Colony, Ratia, had conspired with co-accused persons, loan agents, and DSAs, fraudulently availed multiple loans by preparing forged and fabricated documents. He had edited Aadhaar cards, PAN cards, salary slips, and identity proofs of several individuals named "Praveen Kumar", and affixed his own photograph*

> *and local address. By using these forged documents, he fraudulently obtained loans worth approximately Rs.2 crores from different banks including HDFC Bank, ICICI Bank, YES Bank, and Axis Bank. Out of the said amount, about 1,08,70,372/- was credited directly into his salary account bearing No. 32776479128 with SBI, Ratia. Accordingly, on 28.08.2024, the accused was arrested in accordance with law. Information of his arrest was duly conveyed to his relatives. The accused was subjected to medical examination on the same day and was then lodged in the lockup of Police Station Sadar, Fatehabad.*
> *14. That from the possession of petitioner/accused following things were recovered:-*
> *One Hyundai i10 car, white colour, Registration No. HR 51 AZ 9580, recovered from Ratia in unserviceable condition.*
> *One truck, Registration No. HR 62 4756 (14 tyres), recovered from Gujarat through his brother Ravi Kumar.*
> *Residential house (Kothi) constructed at Ram Nagar Colony, Ratia, identified as having been built out of fraudulent loan proceeds; valuation approximately ₹70,00,000/-.*
> *Samsung Galaxy A55 5G mobile phone, valued at 39,999/-, purchased from loan amount.*
> *Forged documents, including edited Aadhaar cards, PAN cards, salary slips, cheque books, passbooks, credit cards, ATM cards, SIM cards, and other identity documents used for fraudulent purposes.*
> *Electronic devices including laptop, printer, and accessories used in preparation of forged loan files."*

8. There is sufficient primafacie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing.

9. Per paragraph 2 of the bail petition, the petitioner has been in custody since 28.08.2024. Per the custody certificate dated 08.09.2025, the petitioner's total custody in this FIR is 01 year and 12 days.

10. The law of bail, like any other branch of law, has its own philosophy, and occupies an important place in the administration of justice and the concept of bail emerges from the conflict between the police power to restrict liberty of a man who is alleged to have committed a crime, and presumption of innocence in favour of the alleged criminal.[1]In deciding bail applications an important factor which should certainly be taken into consideration by the Court is the delay in concluding the trial.—Often this takes several years, and if the accused is denied bail but is ultimately acquitted, who will restore so many years of his life spent in custody? —Is Article 21 of the Constitution, which is the most basic of all the fundamental rights in our Constitution, not violated in such a case? —Of course this is not the only factor, but it is certainly one of the important factors in deciding whether to grant bail.[2] Personal liberty is a very precious fundamental right and it should be curtailed only when it becomes imperative according to the peculiar

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[1] Supreme Court of India in Vaman Narain Ghiya v. state of Rajasthan, [E-SCR] ; [2008] 17 SCR 369, Para 16, decided on 12.12.2008.

[2]Supreme Court of India in State of Kerala v. Raneef, SC 2J [E-SCR]; [2011] 1 SCR 590, Para 4, decided on 03.01.2011.

facts and circumstances of the case.[3] Personal liberty deprived when bail is refused, is too precious a value of our constitutional system recognised under Art. 21 that the curial power to negate it is a great trust exercisable, not casually, but judicially with lively concern for the cost to the individual and the community.[4] When the undertrial prisoners are detained in jail custody to an indefinite period, Article 21 of the Constitution is violated.[5]

11. Given the above, 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 for further pre-trial incarceration at this stage.

12. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

13. Given the above, provided the petitioner is not required in any other case, the petitioner 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 Ilaqa Magistrate or duty Magistrate, with or without sureties, with a maximum bond amount not to exceed INR 10,000.

14. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, the surety is capable of producing the accused. However, instead of surety, the petitioner may provide a fixed deposit of INR 10,000/-, with a clause that the interest shall not be accumulated in FD, either drawn from a State-owned bank or any bank listed on the National Stock Exchange and/or Bombay Stock Exchange, in favour of the "Chief Judicial Magistrate" of the concerned Sessions Division; or a fixed deposit made in the name of the petitioner, with similar terms and with endorsement from the banker stating that the FD shall not be encumbered or redeemed without the permission of the concerned trial Court, or until the surety bond has been discharged.

15. While furnishing a personal bond, the petitioner 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)	

[3] Supreme Court of India in Siddharam Satlingappa Mhetre v. State of Maharashtra, SC 2J [E-SCR], Paragraph 127, decided on 02.12.2010.

[4] Supreme Court of India in *Babu Singh & ors v. State of UP*, [E-SCR] P. 777, decided on 31.01.1978.

[5] Supreme Court of India in Sanjay Chandra v. CBI , [2011] 13 (ADDL.) S.C.R. 309, Para 26, [E-SCR], decided on 23.11.2011.

16. This order is subject to the petitioner's complying with the following terms.

17. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner 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.

18. The significant consideration for granting bail is that the Court aims to give the petitioner another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioner 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.

19. This bail is conditional, with the foundational condition being that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State shall file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and as per their discretion, they may cancel this bail.

20. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

21. In Amit Rana v. State of Haryana, CRM-18469-2025 [Decided on 05.08.2025), in CRA-D-123-2020], a Division Bench of Punjab and Haryana High Court in paragraph 13, holds that "To ensure that every person in judicial custody who has been granted bail or whose sentence has been suspended gets back their liberty without any delay, it is appropriate that whenever the bail order or the orders of suspension of sentence are not immediately sent by the Registry, computer systems, or Public Prosecutor, then in such a situation, to facilitate the immediate restoration of the liberty granted by any Court, the downloaded copies of all such orders, subject to verification, must be accepted by the Court before whom the bail bonds are furnished."

22. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

18.09.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.