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

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Date of Decision: 17.11.2025

Kishori Lal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Anil Kumar Rana, Advocate and
Mr. Harsh Rana, Advocate
for the petitioner.

Mr. Ashwani Bhatia, AAG, Haryana.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.237 dated 21.05.2025 registered under Sections 319(2), 332(C), 318(4), 62, 204 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Badshahpur, District Gurugram.

2. Brief facts of the present case are that the present FIR was registered on the basis of complaint moved by Kuldeep Yadav to the effect that he is working as HR Manager in Sona Blw Precitition Forgings Ltd. On 21.05.2025 at around 5.30 P.M., two persons forcefully entered in their company by stating that they had come from PF Office, Faridabad and produced fabricated I.D. Proof for the purpose of misrepresentation,



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impersonation and cheating.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He argues that no active role has been attributed to the petitioner in the alleged incident and he had never claimed to be an active officer of EPFO. Rather, there is some miscommunication by the guard to whom the petitioner has told that he is a retired EPFO employee and is currently President of Valmiki Ashram Dharmarth Sudhar Trust (Regd.). He further submits that he went to complainant's company for seeking donation for the Trust. He further argues that if the contents of the FIR are taken to be true, even then there was no demand of any money on behalf of the petitioner. He further argues that all the offences are triable by the Magistrate. No recovery is to be effected from the petitioner. The petitioner is in custody since 21.05.2025. Further, co-accused Aamir Kant Kanwar @ Amit Kant Kunvar, who was on similar footing with the petitioner, has already been granted the concession of regular bail by a Co-ordinate Bench of this Court, vide order dated 01.10.2025. Moreover, the petitioner has clean antecedents as he is not involved in any other case. The investigation in this case is complete and challan also stands presented. He further submits that there are total 06 prosecution witnesses but none has been examined till date and as such, the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has already filed the status report in the matter and while referring to the same, has vehemently



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opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. He further contends that the presence of the petitioner is duly established by the CCTV footage and he has projected himself as official of PF Department. However, he has not controverted the fact that the petitioner is a first time offender as he is not involved in any other case.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner has been in custody for the last more than 05 months; investigation is complete; challan stands presented; the petitioner has clean antecedents; none of the prosecution witness has been examined, the complicity of the petitioner is a matter of trial, and the fact that trial may take a long time to conclude, no useful purpose would be served by detaining him in further custody. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

7. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail

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bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

17.11.2025*D.Bansal***(RUPINDERJIT CHAHAL)
JUDGE**

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