IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

268

CRM-M-47179-2025
Date of decision: 01.09.2025

JATINDER KUMAR ALIAS LOVELY ......Petitioner

VERSUS

STATE OF PUNJAB ....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

*****

Present: - Mr. Shubham Kaushik, Advocate
for the petitioner.

Mr. I.P.S Sabharwal, DAG, Punjab.

*****

VINOD S. BHARDWAJ, J. (Oral)

The instant petition is for seeking concession of regular bail in case bearing FIR No. 120 dated 29.11.2024 under Section 420 of the Indian Penal Code, 1860 registered at Police Station Division No.3, Police Commissionerate Ludhiana.

2. Briefly summarizing, the present case arises from the complaint bearing PGD no.273196 dated 14.12.2023 moved by complainant Manoj Kumar Jain against the petitioner with regard to the theft of the cheques and filing false complaint on the basis of said cheques and further with regard to preparing of the forged PAN cards by petitioner. On the basis of the said complaint, an inquiry was conducted and during inquiry it has come

to light that in 2016, Manoj Kumar moved complaint in writing to the bank with regard to the loss of two cheques and for stopping the payment of the said cheques and on the said date, the payment of said cheques was stopped. It has further been reported that the bank record of the accused relating to M/s Shri Enterprises was taken from Union Bank of India. In the same, in 2012 at the time of the taking of the loan in his PAN card no.AISPK0028Q, petitioner mentioned the name of his father as Chaman Lal and date of birth as 11.10.1974 and used his aadhar card bearing no. 292442029493. The said account has become NPA. When the said account became NPA, petitioner got prepared the PAN card no.KDXPK5156F and in the same recorded his father's name as Sai Mal and date of birth as 11.10.1984 and formed a new firm "Saluja Textile" on 30.1.2020. In both these PAN cards (with regard to the different firms), petitioner mentioned different residential address. It has further been reported that on 21.5.2016, complainant got the payment of cheque bearing no.031977 stopped and the said cheque has been used by petitioner in the year 2023 by filling an amount of Rs.42 lacs and after getting the cheque bounced, he has filed the complaint under Section 138 of the Negotiable Instrument Act against the complainant. It has further been reported that during inquiry, it was found that petitioner Jatinder Kumar is using two PAN cards with different parentage, different date of births and different residential addresses. It has further been reported that petitioner misused the cheques of the complainant and prepared forged PAN cards and is using the same. It has further been noticed in the inquiry that the petitioner by changing his father's name has got prepared the PAN cards and he used the Pan card for creation of his firm Saluja Textile. It has further been reported that though petitioner claims that he has issued the bill to the complainant but with regard to the delivery of the alleged material, no document has been produced by the applicant/ accused. It has further been reported that petitioner has not only misused the cheques in question, rather prepared forged PAN Card KDXPK5156F and used the said PAN card for his business transactions.

3. Learned Counsel appearing on behalf of the petitioner contends that the petitioner is a middle aged heart patient and that he had filed proceedings under Section 138 of the Negotiable Instruments Act in which a plea of defence had been raised by the respondent-complainant which is yet to be tested. He contends that the investigation in the case is complete. He further contends that the petitioner is not required in any other criminal case and that the trial in the present case has not yet progressed any further.

4. Counsel for the respondent-State is not in a position to dispute any of the aforesaid submissions noticed above.

5. I have heard learned counsel appearing on behalf of the respective parties.

6. In view of the facts noticed above and taking into consideration the criminal antecedents of the petitioner and the stage of trial, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

7. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

8. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

9. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

SEPTEMBER 01, 2025
Vishal Sharma

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No