



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

229

CRM-M-49831-2025 (O&M)
Date of decision: 04.11.2025

Vishal Kohli

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Anil Chawla, Advocate
for the petitioner.

Mr. Jasjit Singh, DAG, Punjab.

Mr. Rajat Anand, Advocate
for complainant. (Through hybrid mode).

AMAN CHAUDHARY. J.

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.125 dated 24.05.2021, registered under Sections 420, 467, 468, 471, 477-A, 120-B of IPC, at Police Station District Amritsar.
2. Learned counsel submits that the petitioner is in custody for about 8 months. As per the allegations, the Sales Officer of the bank had helped Vikas Jain, friend of the complainant to open 14 bank accounts by misusing the KYC documents and in those accounts, cash deposits were made by the aforesaid co-accused, on account of which complainant was fastened with tax liability for the said transactions as the Income Tax Office had issued notice to him. One Vikas



Sethi, who was also Manager of the Bank and against whom the allegations are made, were similar to the petitioner, was granted bail by this court vide order dated 21.02.2021 (Annexure P2), after being in custody for over 5 and a half month. There is a Memorandum of Understanding dated 14.11.2022 (Annexure P-3) entered into between him and the complainant, as per paragraph No.4 thereof, the first party agreed not to prosecute him and raise no objection to the grant of bail. Challan was presented on 20.01.2025, however, charges have not been framed yet. In all there are 73 prosecution witnesses. He is not involved in any other case.

3. The custody certificate dated 03.11.2025, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 8 months and 7 days.

4. Learned State counsel, opposes the bail on the ground that the petitioner was instrumental in getting the bank accounts opened by misusing the KYC documents of the complainant. He is unable to controvert the submissions with regard to the stage and the petitioner being not involved in any other case.

5. Learned counsel for the complainant however states that in the eventuality of grant of bail to the petitioner, he should adhere to the undertaking given in the aforesaid MoU, dated 14.11.2022, Annexure P-3, wherein he agreed to divulge the transaction in question to the best of his knowledge and without any concealment, and undertook to tender a statement under Section 164 CrPC or any other provision of law before the Court or the Investigating Agency.

6. Learned counsel for the petitioner states that he would comply with the same in letter and spirit.



7. Heard.

8. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 8 months and 7 days; undertakes to comply with the Memorandum of Understanding dated 14.11.2022; is not involved in any other case; challan was presented on 20.05.2025 and charges have not been framed yet; there are total 22 prosecution witnesses, the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

9. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his



liberty.

(vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.

(viii) The petitioner shall not leave the country without prior permission of the trial Court.

(ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

(x) The petitioner shall comply with the undertaking given by him in the Memorandum of Understanding dated 14.11.2022, Annexure P-3, as affirmed by his learned counsel.

10. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

11. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

04.11.2025
Vishal Vardhan

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