



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

229

**CRM-M No.53714 of 2025
Date of decision : 9.12.2025
Date of uploading : 10.12.2025**

Sant SwroopPetitioner
Versus
State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Aditya Sanghi, Advocate, for the petitioner

Ms. Priyanka Sadar, Senior DAG, Haryana

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.12 dated 29.6.2022 under Sections 193, 196, 199, 200, 409, 120-B, 406, 420, 477-A, 418, 467, 468, 471 and 474 of IPC and Sections 13(1), 13(2), 13(1)(C) and 13(1)(D) of Prevention of Corruption Act, 1988, registered at Police Station ACB, Hisar, District Anti Corruption Bureau, Haryana.
2. The gravamen of the FIR in question is that Amit Bansal and Padam Bansal have fraudulently created fictitious firm M/s Vishal Corporation on the basis of forged documents in the name of Vishal Kumar, who was working as a salesman at the shop of commission agent



Padam Bansal in 2012 and indulged in fictitious and bogus transactions with M/s Rajat Traders. The petitioner, who was working as Steno of the then Taxation Inspector, alongwith ETO D.P. Beniwal and ETO Ashwani Soni have showing bogus inputs of the above firms with the intention of securing refund. Thereby they caused wrongful loss to the tune of ₹31,53,73,950/- to the Government exchequer.

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 20.8.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question in view of the zest of the police to solve the case. Learned counsel has further submitted that the case is primarily based on primary evidence and the investigation into the FIR is complete and challan stands presented. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 8.12.2025. in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 20.8.2025 wherein after investigation was carried out and challan stands presented on 29.11.2025. Total 12 prosecution witnesses have been cited, but none has been examined till date. It is, thus, indubitable that culmination of trial will



take its own time. The rival contentions raised by learned counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 8.12.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 3 months and 19 days. As per the said custody certificate, the petitioner is stated to be involved in one more FIR bearing No.25 dated 10.7.2025. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586***; a Division Bench judgment of the Hon'ble Calcutta High Court in case of ***Sridhar Das v. State, 1998 (2) RCR (Criminal) 477*** & judgments of this Court in ***CRM-M No.38822-2022*** titled as ***Akhilesh Singh v. State of Haryana***, decided on 29.11.2021, and ***Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191***.



Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

2025:PHHC:171840



CRM-M No.53714 of 2025

-5-

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

9.12.2025
Ashwanii

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