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

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CRM-M-53821-2025

Decided on:10.11.2025

Satish Kumar Ohri and another**...Petitioners****Versus****State of Punjab****...Respondent****Coram : Hon'ble Mr. Justice Rajesh Bhardwaj**

Present: Mr. Bipan Ghai, Senior Advocate, with
Mr. Nikhil Ghai, Advocate,
Ms. Malini Singh, Advocate, and
Mr. Akhil Godara, Advocate, for the petitioners.

Mr. J.S. Arora, DAG, Punjab.

Mr. Rohit Joshi, Advocate,
for the complainant.

Rajesh Bhardwaj, J. (Oral)

1. Petitioners have approached by way of filing the present petition praying for grant of regular bail in case FIR No.72 dated 04.09.2023, registered under Sections 408 & 420 IPC (Sections 465, 467, 468, 471, 474, 201 and 120-B IPC added later on), at Police Station Kathgarh, District SBS Nagar, Nawanshehar, Punjab.

2. Succinctly, facts of the case are that the FIR in the present case was lodged on the statement complaint of Avinash Kumar Singh, in which it was alleged that he started a factory under the name and style of Aasma Export India for manufacturing of plywood, flash door and block board etc. in village Bharthala, Police Station Kathgarh, Tehsil Balachaur, District SBS Nagar. However, he remained busy during the year 2023 and started residing at Chandigarh and due to his engagement in his personal work, household activities and social welfare activities, he hardly used to visit his factory and due to his non-

visitation in the factory, his trustworthy workers, in connivance with each other,

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misappropriated crores of rupees. In his complaint, he mainly named Deepak Kumar, Sabir Ali, Santosh Kumar Mishra, Munna Kumar, Utpal Das, Bhola and Chiranjeev and accused all of them for the alleged embezzlement of funds of the factory. Thus, request was made to take legal action against the accused. The FIR was registered and the investigation commenced. During the investigation, the petitioners were named by his co-accused and were arrested on 29.07.2025 and 30.07.2025 respectively. On completion of investigation, challan was presented on 28.10.2025. The petitioners approached the Court of learned Additional Sessions Judge, SBS Nagar, praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioners vide order dated 10.09.2025. Hence, the petitioners have approached this Court praying for grant of regular bail by way of filing the present petition.

3. It has been vehemently contended by learned counsel for the petitioners that the petitioners have been falsely and frivolously implicated in the present case. He submits that the petitioners have been nominated in the FIR on 21.06.2025 on the basis of disclosure statement of co-accused Sabir Ali, who has already been granted bail. He further submits that petitioner no.1 Satish Kumar Ohri is 73 years of age and both the petitioners have nothing to do with the alleged commission of offence and, thus, in the facts and circumstances of the present case, the petitioners deserve to be granted regular bail.

4. *Per contra*, learned counsel appearing on behalf of the complainant as well as learned State counsel have vehemently opposed the submissions made by counsel for the petitioners while submitting that the petitioners were beneficiaries who have siphoned off crores of rupees from the factory of the complainant. However, learned State counsel, on instructions from ASI Sikander Pal, submits that the investigation is complete and the challan has already been presented in the Court on 28.10.2025. He has placed on record the custody

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5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioners were nominated in the FIR in question only on the basis of the disclosures statement of co-accused Sabir Ali and were arrested on 29.07.2025 and 30.07.2025. It is also an admitted fact that Sabir Ali, who was specifically named in the FIR and was the main accused, has already been granted regular bail. Custody certificate of the petitioners would show that they have completed incarceration of 02 months & 24 days as on 05.11.2025 and are not involved in any other case. The challan has already been presented in the present and the veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioners succeeds in making out a case for grant of regular bail to the petitioners.

6. Accordingly, the present petition is allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

7. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

November 10, 2025
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(Rajesh Bhardwaj)
Judge

Whether Speaking/Reasoned: NO/YES
Whether Reportable: NO/YES