

CRM-M-55385-2025 (O & M)

2025:PHHC:151308



::1::

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(219)

CRM-M-55385-2025 (O & M)
Date of decision: 03.11.2025

Navjot Singh	 Petitioner
V/s	
State of Punjab	...Respondent

CORAM: HON’BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Ms. Jigyasa Tanwar, Advocate,
with Ms. Narender Kaur, Advocate, for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 of BNSS, 2023 is for the grant of anticipatory bail to the petitioner in case FIR No.123 dated 13.07.2025 under Sections 318(4), 338, 336(3), 340(2), 351(2) and Section 61(2) of BNS, 2023 registered at Police Station Khanna, City-2, District Ludhiana.

2. The brief facts of the case are that the complainant Salil moved an application dated 26-03-2025, before the Senior Superintendent of Police, Khanna, against Jaskaran Singh son of Balwinder Singh, resident of Lalouri Kalan, Ludhiana, with the allegations of cheating, forgery, causing wrongful acts, misappropriation and breach of trust.

CRM-M-55385-2025 (O & M)

2025:PHHC:151308



::2::

3. The inquiry into the said application was marked to the Deputy Superintendent of Police, (P.B.I, N.D.P.S-cum-Narcotics, Khanna). The said officer, after inquiring into the matter, submitted the report to the effect that;

(i) During the inquiry, it was found that the company of the complainant Salil, namely L&T Finance Company, Ludhiana, provides loans for two-wheelers, houses, tractors, etc. The said company had appointed Jaskaran Singh on 01-06-2024 as Sales Officer at Platinum Honda Agency, Samrala, and Punjab Automobile, Samrala, for the purpose of sanctioning two-wheeler loans. The company started its ID No. 50080413 on 03-06-2024.

(ii) As per the statement of Jaskaran Singh, Navjot Singh (petitioner), Ajay Kumar, and Simran Kaur, were already serving as salespersons in the said company in the Khanna area. However, after Jaskaran Singh was appointed, all the said persons left their jobs with the company.

(iii) Navjot Singh, Ajay Kumar, and Simran Kaur, in connivance with each other, on 04-06-2024, called Jaskaran Singh at a tea stall situated opposite Platinum Honda Company, GT Road, Khanna, and by misusing his newly issued ID, managed to fraudulently pass loans for two-wheelers. It further came to light that OTPs sent to the mobile phones of fake customers were also obtained by them.

(iv) During the course of the inquiry, the call details and tower locations of mobile numbers of Navjot Singh (95010-61303), Ajay Kumar (98769-41408), Simran Kaur (62849-67582), and Jaskaran Singh (95174-04418) for the period 01-06-2024 to 31-08-2024, were obtained. In addition,

CRM-M-55385-2025 (O & M)

2025:PHHC:151308



::3::

the company's record of Customer Application Forms (CAF) of the fake customers on whose mobile phones the OTPs were obtained, was also procured. On perusal thereof, it surfaced that:

- (a) Navjot Singh obtained OTPs by using his own number 91154-47820 and other fake numbers 97792-31408, 78376-74910, 99889-56375, and 98559-29784.
- (b) Ajay Kumar obtained OTPs by using mobile numbers 62809-59601, 77195-60791, 99889-56375, and 70872-15539.
- (c) Simran Kaur obtained OTPs by using her sister Kajal's number 87258-11872 and her mother Baljeet Kaur's number 99889-56375.

(v) The inquiry further revealed that the call detail records of the above-said persons and the CAFs of the customers whose loans were passed clearly corroborate this fact.

(vi) The inquiring officer further mentioned that Navjot Singh, Ajay Kumar, and Simran Kaur filled fake customer numbers, obtained OTP's thereon, and by further misusing Aadhaar cards, PAN cards, etc., of other persons, uploaded the same under the ID of Jaskaran Singh and passed loans thereon, thereby facilitating delivery of two-wheelers. The direct benefit of these fraudulent acts was taken by the above-named persons, and L&T Finance Company, Ludhiana, suffered a wrongful loss of Rs. 13,58,534/- up to March 2025.

(vii) The inquiry further revealed that through the ID of Jaskaran Singh, loans were fraudulently sanctioned in the names of the following 14 persons:

CRM-M-55385-2025 (O & M)

2025:PHHC:151308



::4::

Sukhdev Singh (Mobile No. 98724-03912), Office Khan (Mobile No. 97792-31408), Amandeep Singh (Mobile No. 77195-60791), Amandeep Kaur (Mobile No. 75298-58141), Rachna Rajput (Mobile No. 98376-74910), Harmel Singh (Mobile No. 62809-59601), Kamaljit Singh (Mobile No. 85449-67189), Baljeet Kaur (Mobile No. 99889-56375), Reshma (Mobile No. 70872-15539), Rekha Rani (Mobile No. 73473-16079), Jeet Singh (Mobile No. 87258-11872), Kapil Counsel (Mobile No. 91154-47820), Gurmit Singh (Mobile No. 98780-87440), and Mitali (Mobile No. 98539-29784)

(viii) Out of these loans, only the loans in the names of Mitali and Reshma had eight instalments paid, whereas in respect of the other 12 persons, only one or two instalments were paid. It further surfaced during the inquiry that such instalments were paid by deduction from the salary of Jaskaran Singh, and only Mitali and Reshma were making payments of instalments themselves. The rest of the loans were procured by the use of forged documents and fake mobile numbers for obtaining OTPs, and those numbers were later found to be non-functional.

(ix) The inquiry officer concluded that Navjot Singh, Ajay Kumar, and Simran Kaur, in connivance with each other, committed fraud with L&T Finance Company, Ludhiana, by misusing the new appointment of Jaskaran Singh, fraudulently operating his ID No. 50080413, uploaded forged documents thereupon, obtaining OTPs through their own and other mobile numbers, and thereafter got loans sanctioned to fraudulently obtain two-wheelers. Prima facie offences under Sections 420, 467, 468, 471, 506, and 120-B IPC (sections 318(4), 338, 336(3), 340(2), 351(2), and 61(2) BNS)



were found to be attracted against Navjot Singh, Ajay Kumar and Simran Kaur leading to the registration of the instant FIR.

4. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. In fact, he has not been named in the complaint but has been nominated on the statement of Jaskaran Singh. As he is ready and willing to join the investigation, he is entitled to the concession of anticipatory bail.

5. The learned counsel for the State, on the other hand, while referring to the reply dated 15.10.2025 contends that the petitioner in concert with co-accused Ajay Kumar and Simran Kaur, to perpetuate a systematic loan fraud misused the newly issued ID No.50080413 of Jaskaran Singh, uploaded forged KYC documents (Aadhar/PAN etc.) on that ID and procured/feeding OTPs generated on mobile numbers controlled and arranged by them including the petitioner's own Number 91154-47820 and other numbers specifically traced to this fraud. The disclosure statement of Ajay Kumar refers to the petitioner's active participation in arranging, passing and monetising fraudulent two-wheeler loans. In fact, his custodial interrogation is necessary for identifying the additional phone numbers and devices, forensic examination of his digital devices, finding out to whom the fraudulently released vehicles were sold, tracing the flow of money through bank/UPI/wallet accounts, locating apparatus used for preparing forged KYC etc. Further, as the offence stands *prima facie* established and wrongful loss amounting to Rs.13,58,534/- seems to have been caused, the



::6::

petitioner is not entitled to the concession of anticipatory bail. Therefore, the present petition is liable to be dismissed.

6. I have heard the learned counsel for the parties.

7. The Hon'ble Supreme Court in the case of '**Sumitha Pradeep Vs. Arun Kumar C.K. & Anr. 2022(4) RCR (Criminal) 977**', has held that merely because custodial interrogation was not required by itself could not be a ground to grant anticipatory bail. The first and the foremost thing the Court hearing the anticipatory bail application is to consider is the *prima facie* case against the accused. The relevant extract of the judgment is reproduced hereinbelow:-

“It may be true, as pointed out by learned counsel appearing for Respondent No.1, that charge-sheet has already been filed. It will be unfair to presume on our part that the Investigating Officer does not require Respondent No.1 for custodial interrogation for the purpose of further investigation.

Be that as it may, even assuming it a case where Respondent No.1 is not required for custodial interrogation, we are satisfied that the High Court ought not to have granted discretionary relief of anticipatory bail.

*We are dealing with a matter wherein the original complainant (appellant herein) has come before this Court praying that the anticipatory bail granted by the High Court to the accused should be cancelled. To put it in other words, the complainant says that the High Court wrongly exercised its discretion while granting anticipatory bail to the accused in a very serious crime like POCSO and, therefore, the order passed by the High Court granting anticipatory bail to the accused should be quashed and set aside. **In many anticipatory bail***



::7::

matters, we have noticed one common argument being canvassed that no custodial interrogation is required and, therefore, anticipatory bail may be granted. There appears to be a serious misconception of law that if no case for custodial interrogation is made out by the prosecution, then that alone would be a good ground to grant anticipatory bail. Custodial interrogation can be one of the relevant aspects to be considered along with other grounds while deciding an application seeking anticipatory bail. There may be many cases in which the custodial interrogation of the accused may not be required, but that does not mean that the prima facie case against the accused should be ignored or overlooked and he should be granted anticipatory bail. The first and foremost thing that the court hearing an anticipatory bail application should consider is the prima facie case put up against the accused. Thereafter, the nature of the offence should be looked into along with the severity of the punishment. Custodial interrogation can be one of the grounds to decline custodial interrogation. However, even if custodial interrogation is not required or necessitated, by itself, cannot be a ground to grant anticipatory bail.”

8. From the evidence collected so far, it is apparent that the petitioner alongwith Ajay Kumar and Simran Kaur in connivance with each other misused the newly issued ID of Jaskaran Singh, uploaded forged documents, procured OTPs generated on mobile numbers controlled and arranged by them including a number owned of the petitioner. By this modus operandi loans were fraudulently sanctioned in the name of 14 persons. As the offence stands *prima facie* established and the investigation



::8::

is to be taken to its logical conclusion, the custodial interrogation of the petitioner is certainly required and therefore, he is not entitled to the concession of anticipatory bail.

9. In view of the above discussion, I find no merit in the present petition and the same stands dismissed.

10. However, it is made clear that the observations made in this order are only for the purpose of deciding this bail application and the Trial Court is free to adjudicate upon the matter on the basis of the evidence lead before it uninfluenced by any such observations made.

11. The pending application(s), if any, shall stand disposed of accordingly.

November 03, 2025

sukhpreet

(JASJIT SINGH BEDI)

JUDGE

Whether speaking/reasoned

Whether reportable

: Yes/No

: Yes/No