

2025:PHHC:166803



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

243

CRM-M-61839-2025 (O&M)

Date of decision : 01.12.2025

Mandeep**...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Pradeep Chhoker, Advocate
for the petitioner.

Ms. Himani Arora, DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 1544 dated 20.11.2023, registered under Sections 420, 467, 468, 471 and 120-B of IPC at Police Station City Panipat, District Panipat.

2. As per the allegations, the petitioner and his wife Ravina Chauhan had approached the complainant/bank for availing business loan by offering their immovable property for mortgage. The bank, after scrutiny of the documents, had sanctioned the business loan to the tune of Rs. 16 Lakhs on 27.06.2023. An amount of Rs. 15.25 Lakhs was disbursed on 29.06.2023. During the subsistence of the aforementioned loan, the petitioner and his wife had obtained another loan of Rs.25 Lakhs from ICICI Home Finance Company, Panipat by mortgaging the same property. It was revealed that they had been approaching various other banks and financial institutions with intent

2025:PHHC:166803



to obtain similar benefits and using the same credentials.

3. As per the further allegations, a preliminary inquiry was conducted on receipt of a complaint from the complainant/bank. During inquiry, it was revealed that the petitioner had fraudulently edited Registry No. 177 dated 29.04.2021 by inserting the name of one Shamsheer Singh as vendor and his own name as purchaser and had submitted the forged registry to the complainant/bank. After registration of the FIR, investigation proceedings were initiated. The petitioner was arrested on 23.11.2023. He suffered disclosure statement admitting his involvement in the crime. On the basis of his disclosure statement, Ram Bilas Saini, Ravi, Inam and Sikandar were nominated as additional accused. Wife of the petitioner, Ravina Chauhan, was exonerated from the allegations and was found to be innocent. Co-accused were also arrested. Investigation now stands completed.

4. It is worth mentioning that the petitioner was granted conditional regular bail, vide order dated 16.04.2024, passed by the Court of learned Additional Sessions Judge, Panipat. However, the same was cancelled on 02.09.2024.

5. It is argued by learned counsel for the petitioner that he is in custody since 23.11.2023. The disclosure statement allegedly suffered by him cannot be considered to be admissible in evidence. The dispute between the parties is of civil nature, which has been given a criminal color. Co-accused have been extended benefit of bail. On parity, the petitioner too deserves to be given the same benefit. The subject offences are triable by Magistrate. His further incarceration would not serve any useful purpose. He does not have any criminal antecedents. Therefore, it is urged that the petition deserves to be

2025:PHHC:166803



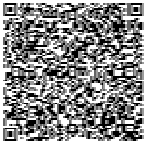
allowed and the petitioner deserves to be released on regular bail.

6. *Per contra*, learned State counsel has argued that there are serious and specific allegations against the petitioner. There are chances of his absconding or committing similar offences, if released on bail. It is, thus, argued that the petition is liable to be dismissed.

7. This Court has heard the rival submissions.

8. The petitioner by hatching conspiracy with the co-accused is alleged to have procured a loan of Rs. 16 Lakhs from the complainant/bank by fabricating and forging documents in the form of a sale deed and by showing himself to be a purchaser of the property. Loss to the tune of Rs. 16 Lakhs was caused to the complainant/bank. He is involved in other cases of similar nature. The allegations *prima facie* reveal his complicity in the crime. However, the subject offences are triable by Magistrate. The petitioner is in custody for over a period of two years. Trial will take considerable time to conclude as none out of 15 prosecution witnesses has been examined so far. The well settled proposition of law is that bail is the rule and jail is an exception. The continued detention of the petitioner is not going to serve any fruitful purpose since he is not required for further investigation. It is also well settled that the pre-trial incarceration should not be a replica of post-conviction sentencing and the sentence during trial should not be punitive. In view of the above discussed facts, given the nature of the allegations, this Court is of the considered opinion that a case has been made out for grant of regular bail in favour of the petitioner. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate

2025:PHHC:166803



concerned and on the following conditions:-

- (i) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case in any manner whatsoever.
- (ii) he shall not leave the country under any circumstance without permission of the learned trial Court.
- (iii) he shall appear before the learned trial Court as and when directed.
- (iv) he shall provide his address where he would be residing after release and shall not change the same without informing the concerned IO/SHO.
- (v) the petitioner shall upon his release give his mobile phone number to concerned IO/SHO and shall keep his mobile phone switched on all times.

9. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent to seek redressal by filing an application seeking cancellation of bail.

10. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

01.12.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No