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

1. CRM-M-9893-2026 (O&M)

Umesh Uppal

...Petitioner

Versus

State of Haryana

...Respondent

2. CRM-M-16855-2026 (O&M)

Renu Uppal

...Petitioner

Versus

State of Haryana

...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	02.04.2026
2	The date when the judgment is pronounced	07.04.2026
3	The date when the judgment is uploaded on the website	07.04.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Gautam Dutt, Senior Advocate with
Mr. Rehan Gupta, Advocate and
Mr. Yajur Mago, Advocate
for the petitioners.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Rahul Sharma, Senior Advocate with
Mr. Ayush Loomba, Advocate
for the complainant.

MANISHA BATRA, J.

1. This common order shall dispose of abovementioned two petitions as they arise out of the same FIR and seek identical relief.

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2. Prayer in these petitions, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of anticipatory bail to the petitioners Umesh Uppal and Renu Uppal in case arising out of FIR No. 24, dated 29.01.2026, registered under Sections 406, 420 and 120-B of IPC at Police Station Buria, District Yamuna Nagar.

3. The aforementioned FIR was registered on the basis of a written complaint submitted by the complainant Vimal Uppal alleging therein that he along with his brother/petitioner Umesh Uppal jointly owned an industrial property in village Buria, Yamuna Nagar. Petitioner Renu Uppal, wife of petitioner Umesh Uppal, was the proprietor of a firm namely M/s Shiv Shambhu Aluminum and the complainant was the proprietor of a firm namely M/s Shiv Shakti Strips. Both these firms were running from the abovementioned property, wherein a common shed was constructed. The property owned by petitioner Umesh Uppal and his wife Renu Uppal was mortgaged in favour of the firm M/s Shiv Shambhu Aluminum with HDFC Bank and the property owned by the complainant, which was a house, had been mortgaged in favour of the firm M/s Shiv Shakti Strips with the same bank. They had also taken some loan against mortgage of agricultural land owned by them. In order to settle their accounts and to start their separate businesses, they had mutually agreed to get residential properties, mortgaged by them with the bank, released. Petitioners Umesh Uppal and Renu Uppal assured the complainant that they would get the loan of their firm M/s Shiv Shambhu Aluminum cleared and that the complainant would get the dues to M/s Shiv Shakti Strips cleared. Believing them and in consultation with the bank, the complainant deposited an amount of Rs.1,05,00,000/- with his

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bank. The accused/petitioners had also agreed to deposit the same amount. However, when the complainant did not get the documents qua ownership of his residential properties released from the bank, he made enquiries and was shocked to know that the amount of money given by him was utilized in clearing the dues of the firm of the petitioners. He alleged that the petitioners in league with the banks had been claiming that his residential house was kept mortgaged in respect of the agricultural loan, which was taken by them and not in respect of the loan taken in the name of his firm and they caused wrongful loss to the complainant. He also came to know that the petitioners intended to take hold of his firm and had removed material documents from his firm in his absence and even locked the same. By alleging that he had been cheated at the hands of the petitioners, the complainant prayed for taking action in the matter. Apprehending their arrest, the petitioners moved applications seeking concession of anticipatory bail before the Court of the learned Additional Sessions Judge, Yamuna Nagar but the same had been dismissed, vide orders dated 09.02.2026 and 20.03.2026, respectively.

4. It is argued by learned senior counsel for the petitioners that they have been falsely been implicated in this case. The complainant had willingly and voluntarily mortgaged his property to secure loan in the name of the firm of the petitioners and his own firm. They had also jointly obtained agricultural loan from HDFC Bank. The complainant along with the petitioners had voluntarily and willingly executed the loan agreements. Due to subsequent worsening of financial conditions of the petitioners, they could not maintain credit discipline. The account of the firm owned by petitioner Renu Uppal has become NPA. Even the agricultural loan account

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has become NPA. The proceedings under SARFESI Act have been initiated. The ingredients for commission of subject offences are not attracted at all against the petitioners. The dispute is of purely civil nature, which is based on documentary evidence. The subject offences are triable by the Magistrate. The petitioners are ready to join the investigation. Their custodial interrogation is not required. No useful purpose would be served by detaining them into custody. With these broad submissions, it is urged that the petitions deserve to be allowed.

5. Status report has been filed in ***CRM-M-9893-2026***. On the request of learned State counsel, the same is adopted qua ***CRM-M-16855-2026*** as well.

6. Learned State counsel, assisted by learned senior counsel for the complainant, has argued that there are serious and specific allegations against the petitioners, who misused the trust reposed in them by the complainant by obtaining his signatures on certain documents. Despite the fact that the complainant had deposited an amount of Rs.1,05,00,000/- towards the dues of his firm, the petitioners failed to clear their agreed share of loan liability relating to their firm and in connivance with each other and some bank officials, they even made attempts to claim rights over the house owned by the complainant. They have also trespassed into his factory premises, have taken away material documents, have caused financial loss by melting raw material of the complainant and have extended threats to him. Their custodial interrogation is required for the purpose of knowing the *modus operandi*. No exceptional or extraordinary circumstance has been made out warranting exercise of powers under Section 482 of BNSS by this

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Court for grant of anticipatory bail to the petitioners. Another FIR has been got registered by the complainant against petitioner Umesh Uppal since he impersonated the complainant as well as forged his signatures on the documents regarding transfer of a motor vehicle. Hence, it is urged that the petitions deserve to be dismissed.

7. This Court has heard learned counsel for the parties at considerable length.

8. The petitioners, in connivance with each other as well as with some officials of their bank, are alleged to have caused wrongful loss to the complainant by not utilizing the amount of money deposited by the complainant for release of the property mortgaged by him. The case is based on documentary evidence. Given the nature of the allegations, custodial interrogation of the petitioners is not required. It is well settled proposition of law that pre-trial incarceration should not be a replica of post-conviction sentencing. In view of the above, this Court is of the considered opinion that the petitioners have made out a case for grant of anticipatory bail to them. Accordingly, the petitions are allowed. The petitioners are granted concession of anticipatory bail, subject to the compliance of conditions envisaged under Section 482(2) of BNSS. They are directed to appear before the Investigating/Arresting Officer to join investigation within a period of ten days from today or as and when subsequently required thereafter. In the event of their arrest, the Investigating/Arresting Officer shall release the petitioners on bail subject to his/her satisfaction.

9. It is made clear that any observation made herein above is only for the purpose of deciding the present petitions and the same shall have no

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bearing on the merits of the case.

10. Let a photocopy of this order be placed on the file of the connected case.

07.04.2026

Waseem Ansari

(MANISHA BATRA)

JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>