

2026:PHHC:063554



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.20368 of 2026

Sudershan Kumar Pahwa ... Petitioner

Versus

State of Haryana ... Respondent

1.	The date when the judgment is reserved	23.04.2026
2.	The date when the judgment is pronounced	27.04.2026
3.	The date when the judgment is uploaded on the website	27.04.2026
4.	Whether only operative part of the judgment is pronounced or whether the 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. Shivansh Malik, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under
Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short



“BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
51	13.03.2025	Arya Nagar Rohtak, District Rohtak	319(2), 316(2), 318(4), 336(3), 338, 340(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”)

2. The aforementioned FIR was registered on the basis of a written complaint submitted by the Chief Manager of Punjab National Bank, Civil Lines, Rohtak branch, alleging therein that one account was operative in the name of Dhanno Devi in the concerned branch of the Bank. The said Dhanno Devi had died on 22.06.2016. On 22.05.2024, his daughter Sushila Kataria approached the bank for updating the record and then it was revealed that on 26.03.2019, some female by impersonating herself as Smt. Dhanno Devi, had approached the bank officials to operate the abovesaid account, which was lying in dormant position. The concerned officer after asking her to provide KYC norms and depositing Rs.100/- in the account to make it active, had made it active. It was alleged that the account was made active by the then Senior Manager Sudarshan Kumar Pahwa i.e. the present petitioner in connivance with accused Ritu Kangra and some unknown persons by depositing Rs.100/- in the account of Smt. Dhanno Devi. The documents, which were received and used to make the account operative were found to be missing from the bank record. On 26.03.2019 also, by making account in operative category, withdrawal of a sum of Rs.100/- had been made in favour of unknown person. The withdrawal was posted by accused Ritu

Kangra, who was posted as Manager and was approved/passed by the

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present petitioner. It was also revealed that on 30.03.2019, withdrawal of a sum of Rs.2 lakhs and on 16.04.2019 withdrawal of another sum of Rs.1.60 lakhs had been passed by the present petitioner and accused Vinod Kumar Khurana and Prem Kumar Dhingra, employees/officials of the bank.

3. After registration of FIR, investigation proceedings were initiated. The present petitioner was joined into investigation on 27.03.2026 and was formally arrested. On interrogation, he suffered disclosure statement admitting his involvement in the crime by updating the KYC of account of victim Dhanno Devi by using his own ID and affixing his thumb marks on withdrawal vouchers and withdrawing the amount from account of victim Dhanno Devi. Investigation now stands concluded.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 27.03.2026. The investigation stands concluded. The subject offences are triable by Magistrate. No useful purpose would be served by detaining him in custody any more. He is suffering from 50% physical disability due to post polio paralysis and is not in a position to properly walk. He is also patient of diabetes mellitus. The trial will take considerable time to conclude. It is, therefore, argued that the petition deserves to be allowed.

5. Per contra, learned Assistant Advocate General, Haryana has argued that the allegations against the petitioner are quite serious as he is not only accused of withdrawing the amount of Rs.3,60,000/- from the bank account of deceased Dhanno Devi by updating the KYC details from his

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own official ID but is also alleged to have affixed his thumb impressions on the withdrawal vouchers thereby committing offence of forgery and also causing destruction of the same subsequently in order to cause disappearance of the evidence of offence by tearing of the pages of the vouchers and entries registered from the bank records. The offence punishable under Section 338 of BNS is punishable with imprisonment for life. The case is at its nascent stages. The medical condition of the petitioner is normal as per the report of the medical officer. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner is alleged to have committed the offences of cheating, forgery and use of forged documents while being posted on the post of Chief Manager of Punjab National Bank, Civil Lines, Rohtak Branch by updating the KYC details of deceased Dhanno Devi by using his official ID, then activating her account without there being any application moved by her legal representatives and any other person on her behalf, thereafter by filling the withdrawal vouchers and getting an amount of Rs.3,60,000/- withdrawn and thereafter by causing destruction of the vouchers and entry record. The allegations against him are serious in nature. The trial is to commence and there is nothing on record to show that there would be any inordinate delay in conclusion of the same. The petitioner has been booked for commission of offence punishable under Section 338 of BNS as well which is punishable up to life imprisonment. It is well settled proposition of

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law that grant of bail is a discretionary relief to be granted or denied based on specific facts and circumstance of each case and there cannot be any exhaustive parameters set out for considering the application for grant of bail. The factors such as nature of accusations, severity of punishment if the accusations entail a conviction and nature of evidence in support of accusations are to be seen. That apart, reasonable apprehension of tampering with evidence or threatening the material witnesses are also to be weighed. Frivolity of prosecution should always be considered.

8. In light of the foregoing legal principles and other circumstances as discussed above, this Court finds no compelling ground to allow this petition. Accordingly, the petition is dismissed.

9. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

27.04.2026
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(MANISHA BATRA)
JUDGE

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