

CRM-M-22019-2026

2026:PHHC:089403



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224

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VICKY

....Petitioner

versus

STATE OF HARYANA

...Respondent

Date of decision: July 02, 2026

Date of Uploading: July 02, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Sahil Gupta, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG Haryana.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the BNSS, 2023 seeking grant of regular bail to the petitioner, in case bearing FIR No. 292 dated 04.09.2023, registered for the offences punishable under Sections 316(2), 316(5), 318(4), 338, 336(3), 340(2) and 61(2) of the BNS 2023 and Section 13(1)(A) read with Section 13(2) of Prevention of Corruption Act, 1988 (as amended by the Prevention of Corruption Act (Amendment) Act, 2018) at Police Station Bhiwani Civil Lines, District Bhiwani, Haryana.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

“In reference to the above subject, it is submitted that I, Rajkumar, District Revenue Officer, Bhiwani, also hold the charge of Land Acquisition Officer, PWD (Buildings & Roads) Branch, Bhiwani. I am

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responsible for the distribution of compensation related to the acquisition of farmers' land.

*In the month of July, the clerical staff was on strike. During this period, Pawan Kumar son of Shri Attar Singh, Patwari (under H.K.R.N.), presently posted as Patwari, was working with me and used to be present in my office along with Naib Tehsildar Rampal. He presented before me a bill related to land acquisition compensation amounting to several lakhs of rupees and asked me to sign it. At that time, he had no record other than the bill itself, nor were there any employee signatures on the bill. I said to him: "Get the signatures of the record in-charge, Naib Tehsildar and Kanungo, and present the concerned records before me. After checking the records and after the relevant employees' notings and signatures, only then will I sign the bill." In this manner, he left my office and did not return. On 31.08.2023, Kanungo in-charge Manoj Kumar presented some bills before me for signature. At that time, I recalled that during the strike also a bill of several lakhs of rupees had been presented. I asked Kanungo Manoj Kumar about it. Kanungo Manoj Kumar told me that apart from today's bills, no bill had been prepared during the strike. Immediately I called computer operator Sunil Kumar and asked him. He told me that Pawan had also got some bills prepared, which he (Sunil) had made according to the orders of Naib Tehsildar Rampal Mor, and that Pawan Kumar had come to him for making those bills, which he could check and tell me. Computer operator Sunil Kumar, after checking, told me that a bill of *52,00,000 related to land of Kitlana was prepared by him when Pawan had come, and that the original bill and all related documents were with Pawan Kumar. Thereafter, he had no further knowledge, as his work was only to prepare bills and type correspondence. I ordered him to provide all information related to this bill. After some time, he presented the bill to me by extracting it through online means. I showed it to Kanungo Manoj Kumar, who told me that there may hardly be any landowner in village Kitlana with such a huge amount, and that he could check the records and confirm. I instructed him to provide me with the details of the amounts related to this bill, and directed computer operator Sunil Kumar to check both record and online as well as any private information available to him, and tell me what the status of this bill was. Computer operator Sunil Kumar, after checking through the e-billing system, informed that the money went into the accounts of the following persons after the bill was generated, as detailed below:*

- 1. Narender son of Anjesh, resident of Village Kitlana, Account No. 39084322625, State Bank of India - 3,90,000/-*
- 2. Pinky wife of Jay Singh, resident of Village Kitlana, Account No. 82570100030738, Punjab National Bank - 28,35,000/-*
- 3. Suman Devi wife of Dinesh, resident of Village Kitlana, Account No. 1937010023320, Punjab National Bank - 4,95,000/-*
- 4. Tinku son of Captain Singh, resident of Village Kitlana, Account No. 0577000102523477, Punjab National Bank - 4,90,000/-*
- 5. Vikas son of Jagbir, resident of Village Kitlana, Account No. 50100638878332, HDFC Bank - 4,90,000/-*

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In this regard, Kanungo Manoj Kumar told me that no such amount in respect of the persons mentioned in this bill exists in the records. And computer operator Sunil Kumar told me that upon checking online, it was found that payments had indeed been made to these persons. Thus, upon suspicion, the undersigned took suo-moto cognizance and obtained a copy of the EPS (Electronic Payment System) from the State Bank of India through correspondence. On the EPS, my forged signatures were found. In this manner, details of the account holders in the banks were collected. Their accounts were found empty. The bank orally informed that Narender (Serial No. 1) had deposited the money into the account of Laxmi wife of Shri Pawan (Patwari under H.K.R.N.), Account No. 520291024424076, Union Bank of India, Hansi Gate, Bhiwani. On obtaining information about Laxmi's account, it was found that approximately 8,13,000/- was still remaining in it. Immediate action was taken, and by office letter number 01 spl/Dated: 02-09-2023, the Branch Manager, Union Bank of India, Hansi Gate, Bhiwani, was requested to stop any transactions in the said account, and the account was frozen.

From the above circumstances, it became clear that embezzlement of government funds had occurred. By making forged documents and my forged signatures, the said Pawan embezzled the amount. In this case, the money went into the accounts of those persons listed in the above table (1. Narender son of Shri Anjesh, 2. Pinky wife of Shri Jay Singh, 3. Suman Devi wife of Shri Dinesh, 4. Tinku son of Shri Captain Singh, 5. Vikas son of Shri Jagbir), and along with them, present posted H.K.R.N. Patwari Pawan son of Shri Attar Singh, by forging signatures, embezzled the government treasury. If any other person is also found involved in this matter, action may also be taken against him. Further, if Pawan has done any other kind of irregularity, that should also be investigated. I am myself conducting an inquiry during my tenure, and if any other fact or embezzlement comes to my notice, I will inform the police. Therefore, by presenting this application, it is requested that in this case, against Pawan Kumar son of Attar Singh resident of House No. 787, Indra Nagar, Hanuman Gate (Mobile No. 9813337567), and other persons involved, a case be registered, recovery of the government money be made, and all accused involved be given strict punishment.”

3. Learned counsel for the petitioner has argued that the petitioner was arrested on 21.03.2026. Learned counsel for the petitioner has submitted that petitioner has been falsely implicated into the FIR in question. Learned counsel for the petitioner has further submitted that, as per prosecution version, main accused is one Pawan Kumar, who has been extended the concession of regular bail by this Court vide order dated 21.05.2025 passed in CRM-M-14289-2025. Learned counsel for the petitioner further submitted that similarly placed co-accused namely

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Manish, Pinki, Tinku Yadav and Suresh Kumar, have been afforded concession of regular bail by this Court. It is further submitted that after culmination of investigation, challan has been presented and charges are yet to be framed. Learned counsel further submits that petitioner is a married man aged 30 years and is a sole bread earner of his family. Thus, regular bail is prayed for.

4. Learned State counsel has filed reply by way of affidavit which is taken on record. Raising submissions in tandem with the said reply, learned State counsel has vehemently opposed the grant of regular bail to the petitioner while submitting that there are direct and serious allegations against the petitioner. Learned counsel for the State has further submitted that petitioner is likely to abscond from process of justice, in case, he is released on bail. Learned counsel has further submitted that there are other accused/suspects who are likely to be arrested and in case petitioner is released on bail, there is all the likelihood that he would divulge all the key information to them so as to stall further investigation. Learned State counsel has also placed on record custody certificate dated 01.07.2026, in the Court today, which are taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 21.03.2026, whereinafter investigation was carried out and challan has been presented on 15.06.2026. Total 64 prosecution witnesses have been cited, and it is not in dispute that none has been examined qua the petitioner till date. The rival contention raised at Bar give rise to debatable issues, which shall essentially be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, *lest* it may prejudice the trial. Nothing tangible has been brought forward to

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indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per custody certificate dated 01.07.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of three months and nine days, & is not shown to be involved in any other FIR(s).

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail, if not required in any other case, on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

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10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.
11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed of.

July 02, 2026
rts

(SUMEET GOEL)
JUDGE

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