



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

203

CRM-M-23662-2026 (O&M)
Date of decision: 15.05.2026

Neeraj Kumar Kochhar

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. S.S. Narula, Sr. Advocate with
Mr. Inderjeet Sihag, Advocate for the petitioner

Ms. Manjot Kaur, AAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.9 dated 04.11.2025, registered under Sections 316(5), 318(3), 318(4), 319(2), 336(2), 336(3), 338, 340(2), 61(2) BNS and 7(A) 13(1) read with 13(2) of Prevention of Corruption Act at Police Station Punjab State Crime, Police Station Phase-4, SAS Nagar, Mohali.

2. Learned Senior counsel contends that the petitioner has been in custody for about 6 months. He is in the business of lending money and facilitating loans, based on documents handed over by the applicants and in that process, he received some amounts from the few loanees after sanctioning of loans as they were only returning the amount, they had borrowed from him. There were 3 loans that were sanctioned in his name, his wife and servant, regarding which, there are no allegations of forged documents. There is no loss that was being caused to the petitioner and it is not a case of impersonation and



non-existence of applicants, who had applied for and granted loan. Co-accused Harjeet Singh, Branch Manager, who had sanctioned the loan, is in custody. Challan was presented on 20.01.2026, while supplementary on 14.05.2026, however, charges have not been framed on and in all there are 25 and 29 prosecution witnesses respectively. 1 case is pending against the petitioner, wherein he is on bail. Reliance is placed on the judgment passed by Hon'ble The Supreme Court titled as **Maulana Mohd. Amir Rashadi vs. State of U.P. and others**, 2012(2) SCC 382.

3. The custody certificate dated 14.05.2026, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 5 months and 27 days.

4. Learned State counsel opposes the bail on the ground that the petitioner had obtained loan for loanees by submitting forged documents and there is no forgery that he did as it was the documents, which he received from the applicants seeking loan that he submitted. However, he is unable to controvert the submissions with regard to stage and the petitioner being on bail in other case.

5. Heard.

6. Hon'ble The Supreme Court in the case of **Maulana Mohd. Amir Rashadi** (supra) had held that, "As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court, etc."



7. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 5 months and 27 days; on bail in other case; challan stands presented on 20.01.2026 and supplementary on 14.05.2026, however, charges are yet to be framed and there are a total of 25 and 29 prosecution witnesses, the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

8. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

9. It is made abundantly clear that in case there is any breach of the conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

10. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

15.05.2026
M.Kamra

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