



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

220

CRM-M-24474-2026

Date of decision : 21.05.2026

Date of uploading:22.05.2026

Tarun Kumar Alias Tannu

.....Petitioner

Versus**State of Punjab**

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. R.S. Dhaliwal, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG, Punjab.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.106 dated 07.07.2025, registered for the offences punishable under Sections 419, 420, 465, 467, 471 and 120-B of IPC, at Police Station Sadar Nawanshahar, SBS Nagar, Punjab.

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

"A letter No. 20/DSJ-15 Dated 04-01-2025 from the court Mrs. Priya Sood DS J/SBSN has received in the Police Station and it is reproduced below 20/DSJ-15 Dated 04-01-2025 From Priya Sood, District & Sessions Judge, Shaheed Bhagat Singh Nagar TO The Senior Superintendent of Police, Shaheed Bhagat Singh Nagar. Dated, SBS Nagar, the 4th January, 2025 Subject: To conduct through probe and to lodge FIR against the impersonators, who furnished forged documents as sureties for facilitating release of accused Tarun Kumar, pending in this Court, and all others involved in the impersonation, fraud, cheating and forgery, A criminal case titled " State Vs Harjinder Singh @ Rahul etc" bearing FIR No. 62 dated 20.04.2024 under Sections 379-B,34 and 411 IPC, PS City Nawanshahr, is pending in the Court of undersigned. During the pendency of the trial, accused Tarun Kumar, absconded from the hearing and his bail bond and surety bond were forfeited to the State on 06.11.2024 and



notice was issued to surety Sarwan Singh of accused Tarun Kumar. One Sarwan Singh, son of Gurnam Singh, came present in the Court and submitted that he never stood as surety on behalf of any accused in this Court. Rather, as submitted by Sarwan Singh, son of Gurnam Singh, he had gone to the United Kingdom in the month of September 2020 and has returned to India on 10th October, 2024. The said Sarwan Singh has produced copy of his Adhar Card showing the same address as given by fictitious surtey Sarwan Singh, in this Court (on the basis of different Adahar Card), wherein the Date of Birth of the said fake Surety is mentioned as 05.12.1997, while the Date of Birth of present Sarwan Singh, who is the actual owner of the property given as surety, is 01.08.1953. It is, thus, apparent that the person who stood surety on behalf of accused Tarun Kumar is a fake person and furnished the forged documents. The further perusal of the surety bond reveals that the surety was identified by Sukhbir Singh, Namberdar and Ajit Singh, Namberdar. The matter is alarming and pertains to impersonation, cheating and forgery by the impersonator, who represented himself as Sarwan Singh, son of Gurnam Singh resident of village Akalgarh. A thorough probe into the matter is required to be conducted, whereafter, criminal proceedings by way of lodging the FIR are required to be initiated against the impersonators and all others involved in the impersonation, fraud, cheating and forgery. The copies of the surety bond furnished by the said impersonator along with his photograph (Annexure-'A'), photograph taken in the Court at the time of furnishing of surety bonds (Annexure- 'B') and the copy of revenue record produced by the said surety (Annexure- 'C') are being enclosed herewith in order to facilitate further probe into the matter. It is further required that the probe be conducted in a time bound manner and report be sent to this Court on or before 10.02.2025. Encl: As above Sd/- Priya Sood District and Sessions Judge, Shaheed Bhagat Singh Nagar."

3. Learned counsel for the petitioner submits that the petitioner is in custody since 01.12.2025. Learned counsel for the petitioner has further submitted that the prime case set up against the petitioner is that he had arranged for forged sureties while he was in custody. Learned counsel for the petitioner has iterated that, since the petitioner was in custody, he could not have been directly involved in arranging sureties on his own behalf. Learned counsel has further iterated that the co-accused, namely Harmandeep Singh, has already been extended the concession of regular bail vide order dated 27.03.2026 passed in CRM-M-14344-2026. Thus, regular bail is prayed for.

4. Learned State counsel has filed short reply by way of affidavit dated 20.05.2026 in Court today. The same be kept on record. Copy thereof has been furnished to learned counsel for the petitioner. Raising



submissions in tandem with the said reply, learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 20.05.2026 in Court, which is taken on record.

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

6. The petitioner was arrested on 01.12.2025, whereinafter, investigation was carried out and the challan qua the petitioner was presented on 27.02.2026. Total 14 prosecution witnesses have been cited, but only 2 have been partly examined and 2 have been given up till date. The rival contentions raised at Bar give rise to debatable issues shall 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 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 20.05.2026 filed by the learned State counsel, the petitioner has already suffered incarceration for a period of 5 months and 14 days. As per the said custody certificate, the petitioner is stated to be involved in more cases/FIRs. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the



facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in *CRM-M No.38822-2022* titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

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 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 cell-phone 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.
10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

21.05.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No