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

CRM-M-29385-2026

Date of decision: 27.05.2026

Ashwin Sharma

.....Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Ms. Sandhya Gaur, Advocate
Mr. Aditya Pratap Singh Nain, Advocate
Ms. Yamini Nain, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Petitioner has approached this Court by way of filing the present petition praying for grant of regular bail to him in case FIR No.0133 dated 27.06.2025, under Sections 120-B, 420, 467, 468 and 471 of IPC, 1860, registered at Police Station Gurgaon Sadar, District Gurugram.

2. Succinctly, facts of the case are that the FIR has been registered on the statement of the complainant namely, Vipin Kumar who made complaint on behalf of Value Drive Technology Private Limited against Divya, Ashwani Sharma (present petitioner) and Shahnawas. It was alleged that he is a Trading Partner on the portal for buying and selling of pre-owned vehicles through platform www.spiny.com. It was alleged that on 26.02.2023, Divya visited and got registered on the online portal under the name and identity of Divya and portrayed herself to be a bona fide seller interested in selling a Toyota Fortuner bearing registration



No. HR-51CF-0610. It was alleged that on the same day, she sold her vehicle to the complainant for total sale consideration of Rs.37,43,000/-. It was alleged that when the aforesaid vehicle was to be further sold, it was found that there was a pending loan on the vehicle. It was alleged that Divya represented that there was no loan on the car. Thus, she sold hypothecated vehicle and it was done with the intent to cheat and defraud the company. It was alleged that on 17.06.2022, Shahnawas visited and registered himself on the portal of the company under the name and identity of Shahnawas and portrayed himself to be a bona fide seller of Mercedes Bens E-220 bearing registration No. UP-14ES-0528. He sold his vehicle to the company on 17.06.2022 for a total sale consideration of Rs.52 Lacs. The payment of Rs.51,70,000/- was made in his Bank Account. When the company tried to sell the vehicle further, it was discovered that the loan foreclosure NOC submitted by him was forged and fabricated. Upon inquiry, it was found that Divya and Shahnawas forged their KYC documents by misappropriating Aadhar details using fake monograms of the Government. It was alleged that Ashwani Sharma is the husband of Divya and was involved in both the deals. Request was made to take legal action against the accused. Thus, the FIR was registered and investigation commenced and petitioner was arrested on 27.06.2025. On completion of the investigation, challan was presented and charges were framed. Petitioner approached the Court of learned Additional Sessions Judge, Gurugram, praying for grant of regular bail. However, after hearing counsel for the parties, the same was declined vide order dated 12.05.2026. Hence, being aggrieved, the petitioner is before this Court by way of filing the present petition.



3. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. She submits that the allegation is pertaining to selling of the vehicle by the wife of the petitioner. She submits that as per the allegations, the loan was found to be outstanding which was allegedly concealed by the petitioner at the time of sale of vehicle. She submits that the whole outstanding loan against the vehicle has already been cleared. She further contended that co-accused, namely, Divya i.e. wife of the petitioner, has already been granted the anticipatory bail. She however, contends that though the petitioner is falsely prosecuted in 6 FIRs but he is on bail. She submits that in the present case, challan is presented and charges have been framed. He thus, submits that in the facts and circumstances of the case, the petitioner deserves to be granted regular bail.

4. Learned State counsel has opposed the submissions made by learned counsel for the petitioner. He submits that the petitioner is a habitual offender. He submits that the petitioner along with his wife had cheated the complainant. He submits that the complicity of the petitioner is duly proved during investigation. He submits that the challan is presented in the present case. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the allegations made by the complainant is regarding the concealment of the outstanding loan against the vehicle which was allegedly sold. However, as contended loan has already been cleared. Co-accused, namely, Divya i.e. wife of the petitioner is already on anticipatory bail. Custody certificate filed by the State would show that

the petitioner has undergone incarceration of 11 months as on 26.05.2026. It further reflects that though the petitioner is involved in 05 other cases, however, in 04 cases, he is on bail. As submitted, challan has been presented in this case.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

7. If the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in the present case.

27.05.2026
m.sharma

(**RAJESH BHARDWAJ**)
JUDGE

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