



CRM-M-52093-2024
CRM-M-57800-2024

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

103-1

1. CRM-M-52093-2024

Vishal Pawar

....Petitioner

V/s

State of Haryana and another

....Respondents

2. CRM-M-57800-2024

Mursaleem

....Petitioner

V/s

State of Haryana and another

....Respondents

Date of decision: 25.02.2026

Date of Uploading : 26.02.2026

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Abhishek Goyal, Advocate for the petitioner
in CRM-M-52093-2024.

Mr. Gaurav Gupta, Advocate for the petitioner
in CRM-M-57800-2024.

Ms. Mahima Yashpal Singla, Senior DAG Haryana.

SUMEET GOEL, J. (Oral)

1. By this common order, the aforesaid two petitions are being
disposed of together, as they emanate from a common FIR.

For brevity, the facts are being taken from CRM-M-52093-
2024 titled as *Vishal Pawar vs. State of Haryana and another* .

2. Present petition has been filed on behalf of the petitioner
seeking grant of anticipatory/pre-arrest bail under Section 482 of BNSS,
2023 in FIR No.285 dated 23.07.2022 registered for offences punishable

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under Sections 419, 420, 467, 468, 471, 120-B of IPC at Police Station Sector 31, District Faridabad.

3. The gravamen of the FIR reflects that the FIR in question was registered on the complaint of Smt. Rashmi Dogra who alleged that her father-in-law late Shri J.L. Dogra was the recorded owner of House No. 2161, Housing Board Colony, Sector-28, Faridabad by virtue of a duly registered conveyance deed dated 27.10.2014. After his demise on 16.08.2020, the ownership rights stood transferred in the name of his son namely Narender Dogra, who also expired on 15.07.2021. It has been further alleged that the complainant, being the widow of Narender Dogra, is one of the legal heirs. It has been further alleged that during the process of seeking transfer of the property in her favour, she received information from a financial institution that one Manish Kumar Pandey had applied for a loan claiming ownership of the said property on the basis of a sale-deed dated 15.09.2021. On obtaining the certified copy, it was revealed that the said sale-deed had been executed by impersonating the deceased J.L. Dogra, who was not alive on the date of execution of the document. It has been further alleged that on the basis of the said forged sale deed, the main accused Manish Kumar Pandey had obtained loans from multiple financial institutions by mortgaging the same property. During the course of investigation, accused Manish Kumar Pandey was arrested and in his disclosure statement he named several co-accused including the present petitioners (i.e. Vishal Pawar and Mursaleem). The investigation further reflects that the forged sale-deed in question was used to secure loans from

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various bank accounts allegedly in connivance with other accused persons.

On these set of allegations, the FIR in question was registered and investigation ensued.

4. Learned counsel appearing for the petitioner – Vishal Pawar has iterated that petitioner has been falsely implicated into the FIR in question as he was not named in the FIR. Learned counsel has further iterated that the alleged role of the petitioner is only confined to the use of his referral code in connection with a loan application submitted by the main accused – Manish Kumar Pandey to a financial institution and he was neither a party to nor a witness of the alleged sale-deed. It has been further argued that the petitioner was neither the sanctioning authority of this loan nor did he has any means or duty to verify the authenticity of the said loan documents. Learned counsel has emphasized that the petitioner was not present in India on the alleged date of execution of the sale deed and his implication is solely on the basis of the disclosure statement of co-accused, which is inadmissible in evidence. Furthermore, no recovery is to be effected from the petitioner as he has not received any part of the alleged loan amount. It has been further contended that no recovery is to be effected from the petitioner as the entire case is based upon documents which are already in possession of the police. Furthermore, the petitioner is ready to join the investigation and hence no useful purpose would be served by sending him behind the bars.

On the strength of these submissions, it is prayed that the petitioner – Vishal Pawar be granted the concession of anticipatory bail.



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4.1. Learned counsel appearing for the petitioner - Mursaleem has iterated that petitioner he is a senior citizen, illiterate and has been falsely implicated into the FIR in question. Learned counsel has further iterated that the petitioner has no knowledge whatsoever of the alleged fraudulent transaction and that certain co-accused persons has taken his thumb impressions on the documents under the pretext of obtaining a licence. It has been further submitted that the petitioner has not received any monetary gain or undue benefit from the alleged transaction. Learned counsel has further contended that there is no need for custodial interrogation of the petitioner as no recovery is to be effected from the petitioner particularly when the relevant property documents are already in custody of the investigating agency. Moreover, there is no likelihood of the petitioner absconding from the process of justice or tampering with the prosecution evidence in case he is enlarged on pre-arrest bail.

On these grounds, it is prayed that petitioner – Mursaleem be granted the concession of anticipatory bail.

5. *Per contra*, learned State counsel has opposed the petition in hand *qua* petitioner Vishal Pawar by submitting that the petitioner is not a mere referral agent but has actively facilitated the loan process on the basis of forged documents and assisted the main accused in using the fabricated sale deed for obtaining loans from multiple financial institutions. Learned State counsel has iterated that the petitioner is allegedly involved in other cases of similar nature which reflects his criminal antecedents. It is contended that custodial interrogation of the petitioner is necessary to



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5.1. As regard, petitioner – Mursaleem, learned State counsel has iterated that the petitioner is the person who impersonated the deceased J.L. Dogra and appeared before the Sub-Registrar for execution and registration of the forged sale deed in favour of the main accused. According to learned State counsel, the photograph of the petitioner is affixed on the sale deed and he is alleged to have played a pivotal role in the creation of the forged document. It has been contended that the custodial interrogation of the petitioner is essential to ascertain the consideration received by him and to uncover the larger conspiracy.

6. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

7. As per the case put forth in the FIR in question, indubitably, serious allegations have been levelled against both the petitioners. From the material placed on record, it emerges that the allegations against the petitioner – Vishal Pawar are not limited to a passive only. The FIR discloses that he has played an active role in facilitating the loan on the strength of forged title documents and in preparing or arranging the use of the forged sale deed for financial transactions. The magnitude of the fraud, involving multiple loans on the basis of a single forged document, indicates a well-planned conspiracy. The plea that the petitioner – Vishal Pawar was not present at the time of execution of the sale deed does not, at this stage, exonerate him from the alleged participation in the subsequent use of the forged document for obtaining loans. The contention that his implication is based only on disclosure statements cannot be accepted at this stage when

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and the *modus operandi*. The fact that he is involved in other cases of similar nature is also a relevant factor while considering the plea for anticipatory bail.

In the factual *milieu* of the case in hand, the custodial interrogation of the petitioner –Vishal Pawar may be necessary to trace the flow of funds, identify the beneficiaries and ascertain the extent of the his role in similar transactions.

7.1. As regards, petitioner –Mursaleem is concerned, he is alleged to have impersonated the deceased - owner and executed the forged sale deed before the registering authority. In the considered opinion of this Court, the very foundation of the fraudulent transaction rests upon the execution of the forged sale deed and the role attributed to the petitioner – Mursaleem goes to the root of the matter in issue. The plea of the petitioner that he is an illiterate or has lack of knowledge is a matter of trial and cannot be accepted at this stage in view of the specific allegation regarding impersonation and his presence before the Sub-Registrar. The gravity of the offence, the manner in which the forged document was used to secure loans of substantial amounts and the need to ascertain the conspiracy and financial trail necessitate the custodial interrogation of the petitioner – Mursaleem

8. The offences alleged are grave and involve a well-orchestrated fraud relating to forgery of a registered sale deed, impersonation of a deceased person and obtaining loans from multiple financial institutions on the strength of the forged document. The investigation is still in progress *qua* several accused and the role of each accused involved in the alleged



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is that the custodial interrogation of both the petitioners is necessary to unearth the complete conspiracy, trace the money trail and identify other beneficiaries. In the considered opinion of this Court, the role attributed to both the petitioners is specific and interlinked. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interests). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It is imperative that every person in the Society can expect an atmosphere free from foreboding & fear of any transgression. At this stage, there is no material on record to hold that prima facie case is not made out against the petitioners. The material which has come on record and preliminary investigation, appear to be established a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation. In ***State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039***, the Hon'ble Supreme Court held as under : (SCC p. 189, para 6)

“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught



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with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders.”

9. In view of the nature and gravity of the allegations, the role attributed to the petitioners, the requirement of custodial interrogation for a fair and effective investigation and the likelihood of the petitioners influencing witnesses or tampering with evidence if armed with a protective order, this Court is of the considered opinion that the petitioners do not deserve the concession of anticipatory bail in the factual *milieu* of the case in hand. Accordingly, both the petitions are dismissed.
10. Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.
11. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

February 25, 2026
Ajay

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