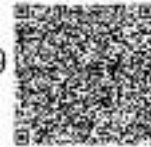


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

2026:PHHC:019809



CRM-M-66252-2025 (O&M).
Date of decision: 10.02.2026.

GAURAV CHHABRA

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Priyanshu Kamra, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

This is the first petition filed under Section 439 of the Criminal Procedure Code, 1973 (Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023), for grant of regular bail to the petitioner in case bearing FIR No.273 dated 13.12.2016, under Section(s) 406, 420 and 120-B of the Indian Penal Code, 1860, registered at Police Station City Kapurthala, District Kapurthala.

The aforesaid FIR was registered on the statement of complainant Vipin Kumar Chopra son of Sayta Nand Chopra. The same reads thus: -

“To, The Hon'ble S.S.P. Sahib, Kapurthala. Subject:-Application

against the Chairman cum Managing Director Neeraj Arora (Neeraj Thatai) son of Satpal Thatai, 2. Amit Kakkar son of Raj Kumar Kakkar, Director, 3. Gaurav Chhabra son of Chaman Lal Chhabra, Director, 4. Nature Heights Infrastructure Limited, Street No. 9, Sunder Nagar, Abohar and Nature Farms and Real Estate Private Limited, J-32, First Floor, Najafgarh Road, Ramesh Nagar, New Delhi, on the account of the fraud and embezzlement of crores of rupees from the innocent persons. Sir, it is requested that we, Vipin Kumar Chopra son of Satya Nand Chopra, Neelam Chopra wife of Vipin Kumar Chopra, Suresh Chopra son of Vipin Kumar Chopra, Amita Chopra wife of Suresh Chopra, all residents of Lakshmi Nagar, Kapurthala, Akhilesh Kumar resident of Pathankot, Vishal Thapar son of Hari Krishna Thapar resident of Aman Nagar, Ludhiana, Ravi Kant Sharma son of Shri Ram Sharma, Suresh Kalia son of late Mahendra Mohan Kalia resident of Kapurthala, Jaspreet Singh Dhillon son of Sukhwinder Singh, Mothawal, Kapurthala, Raj Kumar Ghai son of Krishan Kumar Ghai resident of 57, Ajit Avenue, Kajli Road, Kapurthala, Satish Kumar son of Jagdish Mittal resident of village Parihariya, District Hoshiarpur, Paramjit Singh son of Rashpal Singh resident of Muradpur Narial District Hoshiarpur, Pyare Lal son of Rakha Ram resident of house number 27, Ajit Avenue, Kapurthala and submits as follows: 1. That the company Nature Height Infrastructure Limited, Abohar had drawn up a scheme for residential plots at Talwara and the said persons had also taken up the scheme of Nature Farms and Real Estate Firm Limited, Garhshankar, Anandpur Sahib and village Kheri Devnala, Tehsil Multai, District Betul, Madhya Pradesh, India in which the price of the plot was kept separately according to the measurements of the plot and the plot price was fixed to be paid in 4 installments and for some plots, it was promised to pay rent in 5 installments in one lump sum. 2. That as per the conditions of the earnest money (Biana), it was said that when all the four installments are paid,

the possession of the plot would be registered in favor of the purchaser. As per the said conditions, we had deposited all the installments of the plots in the office of the said company on time, but after that, the company neither registered the plot in our favor nor gave us possession of the plot nor was the rent paid. 3. That when we contacted the office of the said company, we were very surprised to know that the said company had cheated us and closed the office. 4. That on this, we contacted other offices of the said company, the company official made us believe that they have applied for the colony to be certified by PUDA, when it will be approved, then we will be do the registries in your favour. Even after this, we kept going to the office of the said company many times and requesting it, but the company officials keep on hanging it. 5. That after some time, we came to know that the said company has closed all its offices and has closed its sites. After this, somehow, we contacted the company, they said that they are reopening the office and will adjust your amount. Later, we came to know from the reliable sources that a court case is going on of the place where the said company was supposed to give the plot in the colony and the company has not got the possession of this company. The company has hatched all the above conspiracy to grab the money of the innocent people and has cheated the people. 6. That we have come to know through newspapers that the fraud cases have been registered against the Chairman cum Managing Director of the said company, Neeraj Arora, in which he has also been arrested by the police and now the Abohar police has arrested him in many cases. Now the said Chairman cum Managing Director is in police remand. The said Neeraj Arora has grabbed our money with the intention of cheating us and has defrauded us. Therefore, it is our request before you that the case of fraud should be registered against the said Chairman cum Managing Director, Neeraj Arora and the people registered in the subject and our money should be returned. We will be grateful to you.”

Learned counsel appearing on behalf of the petitioner contends that even though the FIR pertains to the year 2016, however, on account of repeated complaints received by the respondents time and again, the petitioner was taken into custody on 17.07.2018. However, his formal arrest in the present FIR was not reflected at that stage and was shown only subsequently on 29.08.2023. It is contended that even if the period of custody is computed from the said date, the petitioner has already undergone actual custody for a period of more than 02 years and 04 months. It is argued that the petitioner was neither in charge of nor responsible for the day-to-day affairs of the Company and that the Managing Director, namely Shri Neeraj Sharma, who is the brother-in-law of the petitioner, was in effective control of its management. It is for the said reason alone that the petitioner has also been nominated as an accused in the present FIR. It is contended that despite the petitioner having undergone an actual custody for a period of more than 02 years and 04 months and the proceedings being triable by the Court of a Judicial Magistrate, the trial is not likely to conclude in the near future.

State counsel, on the other hand, contends that the petitioner was in charge of and responsible for the affairs of the Company, which is stated to have duped large number of investors. He, however, does not dispute that the offences alleged are triable by Judicial Magistrate and that the petitioner is in custody since 27.08.2023 in the present case and that only two prosecution witnesses have been examined so far.

Having heard the learned counsel for the parties and taking into consideration the fact that it is a Magisterial trial only coupled with the circumstance that the petitioner has already undergone an actual custody for

a period of more than 02 years and 04 months and further bearing in mind that only two prosecution witnesses have been examined so far, I deem it appropriate to allow the present petition. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

February 10, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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