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

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Naresh Kumar

....Petitioner

V/s

State of Haryana

....Respondent

Date of decision: 22.01.2026**Date of Uploading : 23.01.2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Sarun Hans, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG Haryana.

SUMEET GOEL, J. (Oral)

1. Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter to be referred as 'the BNSS') for grant of pre-arrest/anticipatory bail to the petitioner in case bearing FIR No.303 dated 18.07.2025, registered for the offences punishable under Sections 318(4), 336(3), 338 & 340 of the Bharatiya Nyaya Sanhita, 2023 at Police Station Civil Lines, Sirsa.

2. The gravamen of the FIR in question pertains to forged surety documents furnished before the Sessions Judge, Sirsa in connection with bail of accused Balkaran Singh. On the basis of directions issued by the Court of Sessions Judge, Sirsa dated 16.07.2025 and communications received from the Naib Tehsildar, Bhuna (Fatehabad) and an application filed by Advocate Sh. Pradeep Singh Bajia, it was revealed that forged and fabricated surety documents were used for securing bail of accused Balkaran Singh. It has been alleged that accused Balkaran Singh was granted bail vide order dated 16.04.2025 pursuant to which bail bonds and

surety bonds were furnished on 13.05.2025 in the name of one Laxman son

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of Kheta Ram. However, on verification by the revenue authorities, it was disclosed that the valuation report of the surety property was neither prepared by the Halqa Patwari nor verified by the Naib Tehsildar and the documents submitted were found to be fake. Furthermore, Sh. Pradeep Singh Bajia, Advocate informed the Court that his father Sh. Lachhman Singh Bajia son of late Sh. Kheta Ram had expired on 09.11.2024 and that an unknown person had impersonated his deceased father, forged his signatures and submitted false and fabricated land documents to stand surety for accused Balkaran Singh. In view of the said impersonation, forgery and use of fake land papers for misleading the Court and securing bail, the Court directed that the bail bonds, surety bonds and related documents be sent to the SHO, Police Station Civil Line, Sirsa, for taking necessary legal action. Accordingly, a case was registered for investigation into the offences relating to cheating, impersonation, forgery and use of forged documents, and the matter was forwarded to Police Post HUDA for further investigation. During the course of investigation, the involvement of the petitioner surfaced who is involved in preparation and used of forged public documents.

3. Learned counsel for the petitioner has iterated that the petitioner is innocent and has been falsely implicated in the present case. Learned counsel has further iterated that the petitioner is not named in the FIR and no specific role has been attributed to him. It is further argued that the alleged forged valuation report and Aadhaar card are not in the name of the petitioner and that no forensic, handwriting or documentary evidence connects the petitioner with any act of impersonation or forgery. Learned

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appeared before the Court in the bail proceedings of the co-accused. Learned counsel asserts that the allegations levelled against the petitioner in the impugned FIR are entirely baseless and devoid of any credible or cogent material. According to learned counsel, in the absence of substantive and incriminating material, the entire prosecution narrative is nothing but an abuse of process. According to learned counsel, the entire case rests upon documentary evidence which is already in possession of the investigating agency. Furthermore, no recovery is to be effected from the petitioner, therefore, the custodial interrogation of the petitioner is neither required nor warranted. On strength of aforesaid submissions, the grant of anticipatory bail is entreated for.

4. *Per contra*, learned State counsel has opposed the petition by arguing that the allegations raised against the petitioner are serious and supported by documentary evidence. Learned State counsel has further iterated that the FIR has been registered pursuant to directions issued by Sessions Judge, Sirsa after it came to light that forged and fabricated surety documents were used to secure bail of accused Balkaran Singh by impersonating a deceased person and producing false land and valuation records before the Court. According to learned State counsel, the involvement of the petitioner surfaced during the course of investigation and petitioner is suspected to be part of a larger conspiracy involving preparation and used of forged public documents. It has been further submitted that the custodial interrogation of the petitioner is essential to unearth the modus operandi, trace the source of forged documents, identify other persons involved and recover the incriminating material. Accordingly,

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a prayer has been made for the dismissal of the instant petition in order to facilitate effective investigation into the alleged offence.

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

6. As per the case put forth in the FIR in question, indubitably, serious allegations have been levelled against the petitioner. The FIR *ibid* has its genesis in judicial proceedings before the learned Sessions Judge, Sirsa wherein accused Balkaran Singh was granted the concession of bail on 16.04.2025. In compliance thereof, bail bonds and surety bonds were furnished on 13.05.2025 in the name of one Laxman son of Kheta Ram. While accepting the surety, the Court below sent intimation to the concerned revenue authorities for making necessary endorsement to restrain alienation of the surety property. Subsequently, a communication dated 02.07.2025 was received from the office of the Naib Tehsildar, Bhuna District Fatehabad categorically stating that the valuation report of the surety property had neither been prepared by the concerned Halqa Patwari nor verified by the Naib Tehsildar and that documents submitting were found to be forged and fabricated. Further, an application was received from Advocate Sh. Pradeep Singh Bajia, stating that his father Lachhman Singh Baija had expired on 09.11.2024 and that an unknown person had impersonated his deceased father, forged his signatures and produced false land and valuation documents to stand surety for the accused. Accordingly, the Court below directed for initiation of legal action. Pursuant thereto, the present FIR came to be registered.

7. The allegations, as borne out from the record, *prima facie* disclose an attempt to misuse the process of law by producing forged public



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documents and by impersonating a deceased person for the purpose of securing bail from the Court. Such acts, if established, not only constitute cognizable offences but also undermining the sanctity and credibility of judicial proceedings. The contention of learned counsel for the petitioner that the petitioner is not named in the FIR and that no specific role has been attributed to him cannot, at this stage, be accepted as a determinative factor. The nature of allegations in the present case suggests the involvement of more than one person and *prima facie* points towards a concerted conspiracy warranting thorough investigation. This Court also finds substance in the submission of learned State counsel that the offence in question is not a mere technical or documentary irregularity. The alleged preparation and use of forged revenue records, valuation reports and other relevant documents coupled with impersonation of a deceased person indicate a deliberate and calculated attempt to mislead the Court and subvert the judicial process. In such circumstances, the custodial interrogation of the petitioner is imperative particularly for the purpose of tracing the source of forged documents, identifying other persons (if any) involved and ascertaining the exact role played by the petitioner. The argument that the case is based solely on documentary evidence is a matter which requires detailed investigation and cannot be adjudicated upon at this stage. Furthermore, the plea of the petitioner that no specific role has been attributed to him is a matter of evidence and cannot be adjudicated upon at this preliminary stage. The material which has come on record discloses that the allegations against the petitioner are not vague or general but are specific.

8. The investigation is a nascent stage and the investigating agency has specifically stated that the custodial interrogation of the



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petitioner is required to trace the source of forged documents, identify other persons involved and recover the incriminating material. Such offences necessitate a strong and principled judicial response to prevent their recurrence. No cause *may* plausible cause has been shown, at this stage, from which it can be deciphered that the petitioner has been falsely implicated into the present FIR. Furthermore, 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 interest(s). 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. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The material which has come on record and preliminary investigation, appear to establish 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 with the danger of the person being subjected to third-degree methods



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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. Considering the gravity of the allegations, the manner in which the Court was allegedly misled, the stage of investigation and the necessity of custodial interrogation, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail at this stage. Moreover, custodial interrogation of the petitioner may be necessary for an effective investigation & to unravel the truth.

10. In view of the prevenient ratiocination, it is directed as under:
- (i) The petition in hand is dismissed being devoid of any merits.
 - (ii) Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.
 - (iii) Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

January 22, 2026
Ajay

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