



CRM-M-70727-2025

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

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Decided on :16.04.2026

Suranjan De

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Kunal Dawar, Sr. Advocate with
Mr. Rohit Sharma, Advocate for the petitioner.

Mr. Parveen Kumar, Addl. A.G., Haryana.

Mr. Rahul Lather, Advocate for the complainant.

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SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS (corresponding Section 439 Cr.P.C.) seeking regular bail in case FIR No.0053 dated 14.03.2024, under Sections 420, 406, 120-B IPC, registered at Police Station Sector 17, Faridabad Haryana.

2. Apparently, there is a money dispute between real brother and sister. As per the allegations, an amount of approximately Rs. 3,11,00,000/- has been transferred from the bank account of the complainant-sister and her son to the bank account of the petitioner, or his wife, or his sister, or the company concerned.

3. Learned senior counsel for the petitioner submits that both parties are already engaged in litigation, and even a civil suit regarding membership in a trust property between the daughter of the complainant and petitioner herein (arrayed as defendant therein) is pending adjudication.

It is further submitted that it is almost an admitted position that the amount was transferred from the complainant's bank account

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during the last three years, from the time of filing of the complaint, and that even more than Rs. 40 lakhs was transferred back to the complainant in one of the transactions. Thus, Mr. Kunal Dawar, learned Senior Advocate for the petitioner, broadly argues that the transfer of funds from the complainant's bank account to other accounts was within her knowledge, and that the complaint was filed only due to the breakdown of cordial relations between the parties.

It is also contended that charges were framed on 03.10.2025 and, despite granting 7–8 opportunities, no prosecution witness has been examined till date. By referring to the zimni orders dated 03.10.2025, 17.10.2025, 13.11.2025, 27.11.2025, 11.12.2025, 04.02.2026, 16.02.2026, 02.03.2026, 16.03.2026, and 30.03.2026, it is submitted that none of the prosecution witnesses has been examined.

It is further pointed out that the complainant has also moved an application under Section 173(8) Cr.P.C. (corresponding to Section 193(9) of BNSS) for further investigation, which is still pending adjudication. It is, therefore, submitted that petitioner is in custody for a period of last more than nine months, and charges are triable by the Magistrate. Accordingly, learned senior counsel prays for grant of regular bail.

4. On the other hand, learned State counsel as well as counsel for the complainant, while opposing the prayer for bail, submit that the petitioner has committed a large-scale fraud against his own sister. A major part of the amount has been transferred to the bank accounts of his close associates i.e., his wife, daughter, and company.

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It is, therefore, submitted that considering the nature of the allegations and the breach of trust involved, the petitioner is not entitled to any equitable relief.

5. I have heard learned counsel for the parties and perused the paper-book alongwith the appended documents.

6. Admittedly, charges were framed on 03.10.2025 for prosecuting the petitioner under Sections 420, 406, 201, and 120-B IPC. Thereafter, ten opportunities have been granted, but till date none of the prosecution witnesses, including the complainant, has been examined. Application under Section 193(9) of BNSS is still pending. Obviously, in such circumstances, conclusion of the trial in the near future appears to be a remote possibility. Moreover, allegations are required to be proved on the basis of documentary evidence and bank records of all concerned parties.

Primarily, the issue before the trial Court is yet to be determined i.e. whether the amount was transferred with the knowledge of the complainant or without such knowledge. Be that as it may, considering the circumstances in its entirety, this Court is of the view that no substantial purpose would be served by keeping the petitioner any longer inside jail.

Accordingly, without expressing any opinion on the merits of the case, present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

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7. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

16.04.2026***Rashmi***

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No