

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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2026:PHHC:028126



CRM-M-70746-2025 (O&M).
Date of decision: 23.02.2026.

GHANSHYAM JAISWAL

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

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

Present :- Mr. Naveen Sharma, Advocate,
for the petitioner.

Mr. Saurav Verma, Addl. A.G. Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of pre-arrest bail to the petitioner in case bearing FIR No.277 dated 12.11.2025, under Section(s) 109 and 324(4) of the Bharatiya Nyaya Sanhita, 2023, and under Section 61 of the Excise Act, registered at Police Station Phase-I, District S.A.S. Nagar, Mohali.

2 Tersely, the prosecution story is that on 12.11.2025, when Investigating Officer along with police party was present on Nakabandi on Chandigarh - Kharar Road, Bus-Stand, Phase-6, Mohali, at about 04:30 PM,

one Ertiga car bearing registration no.PB-10-EW-1462 was spotted coming from Chandigarh side. HC Rashminder Singh signaled the said car to stop. However, instead of stopping the car, the driver accelerated his car and tried to run over HC Rashminder Singh but somehow, he managed to save himself by quickly turning towards the side of the road, on account of which, he fell on the ground. Thereafter, the driver lost balance and hit the car into the traffic booth installed outside the Bus-Stand, Phase-6 and severely damaged the same. However, driver of the car whisked away from the spot. Thereafter, IO searched the car, which led to recovery of 22 cartons of 999 Power Star Whiskey for sale in UT Chandigarh only and 8 cartons of Star Gold Premium Whiskey for sale in UT Chandigarh only. Each carton was having 48 quarter bottles i.e. total of 25,92,000 ML of liquor. Consequently, instant FIR was registered against the accused.

3 Learned counsel for the petitioner(s) strenuously contends that the petitioner has no concern with the aforesaid vehicle and that he had already given his vehicle to Vikas Kumar son of Tejpal on rental basis. It is argued that there is no evidence to connect the petitioner with the commission of the alleged offence. He contends that an agreement dated 10.09.2025 registered between the petitioner herein and Vikas Kumar had been handed over to the agencies and the police has made a wrong statement before the Court that no such registration of above agreement dated 10.09.2025 was done. A specific agreement executed in this regard by Rajinder Singh, the Notary Public, has been attached as Annexure P-6.

4 Vide order dated 15.12.2025, the State was directed to file status report with respect to the averments contained in the present petition.

5 In response thereto, a status report by way of affidavit of Prithvi Singh Chahal, (PPS), Deputy Superintendent of Police, City 1, Mohali, on behalf of respondent-State has been filed. The averments contained therein reads thus: -

“4. That, in compliance with the directions of the Ld. Court of Session, ASI Jaspal Singh, verified the affidavit purportedly notarized by Sh. Rajinder Singh at Ludhiana, bearing Serial No. 99A. During the verification, Sh. Rajinder Singh, Notary Public, having registration no.2915 categorically denied having notarized the said affidavit/agreement dated 10.09.2025 and also denied the signatures appearing thereon. The statement of Sh.. Rajinder Singh Dated 20.11.2025 and translated copy of statement of Sh. Rajinder Singh Dated 20.11.2025 are annexed herewith as annexure R-2 & R-3 respectively.

5. That it is submitted that the notary register was produced by Sh Rajinder Singh during the course of investigation, and it was found that no entry exists at Serial No. 99A in the relevant pages of the register dated 08/11/2025 to 11/11/2025. This conclusively establishes that the alleged notarization is false and fabricated. Copies of the relevant pages of the notary register, showing the absence of any such entry, have been taken on record. The copy of register from Sr. No.8751 to 8776 is annexed herewith Annexure R-4.

6 That the accused fled from the spot leaving behind the vehicle. The petitioner, being the registered owner, has been rightly implicated and is liable for the offence committed by the driver. The plea that the vehicle was given on rent to one Vikas Kumar is not supported by any credible proof, and annexure A-2 has already been found to be false.

7. That the petitioner has thus filed a false affidavit and relied

upon forged documents, thereby committing a fraud upon the Ld. Court of Session with the intent to mislead judicial proceedings and secure discretionary relief. The issue regarding genuineness of the agreement is a matter of trial, and the statement of the Notary Public denying notarization forms part of the judicial record.

8. That in view of the above deliberate acts of fabrication and deception, a separate FIR No. 315 dated 17.11.2025 has already been registered against the petitioner under Sections 318(2), 338, 336(2) and 340(2) of the Bharatiya Nyaya Sanhita PS Sohana. Copies of the FIR No. 315 dated 17.11.2025 and translated copy of FIR No. 315 dated 17.11.2025 are annexed herewith as Annexure R-5 & P-6 respectively.

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10. That in the present case, the accused has committed serious offenses, including obstructing and causing inconvenience to the police party while they were performing their lawful duties. The accused also attempted to assault the police officials and was found in illegal possession of 30 boxes of liquor in his vehicle, without any valid permit or license and to secure the concession of anticipatory bail the accused had committed forgery upon the court also due to which another FIR was also got registered against the accused/ petitioner. Given the gravity of these offenses, custodial interrogation of the accused is necessary to ascertain the facts, gather evidence, and ensure proper investigation.”

6 The status report filed by the respondent-State points out that the petitioner forged an agreement to sell with one Vikas Kumar, to avail concession of anticipatory bail and fabricated entries in the register of the Notary shows that petitioner has not offered a fair explanation and has

instead gone to an extent of forging of documents and rely on them to mislead this Court. He thus has no hesitation in committing further offences. Notwithstanding that the petitioner was aware of the true nature of the agreement, he still placed an emphatic reliance upon the said document due to which a verification was sought, whereupon the said document was found to be forged and in respect whereof another FIR bearing No.315 dated 17.11.2025 has also been registered against the petitioner under Sections 318(2), 338, 336(2) and 340(2) of the Bharatiya Nyaya Sanhita, 2023 at Police Station Sohana.

7 I am prima facie of the opinion that the petitioner has shown a mischievous tendency and reflected his capacity to tamper with the evidence and fabricate documents, creating a defence for himself.

8 The present petition is thus dismissed.

February 23, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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