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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-71577-2025 (O&M)****Date of Decision:23.02.2026**

Navjot Lehal

...Petitioner

VS.

Union Territory, Chandigarh and
another

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Petitioner in person.

Mr. Manish Bansal, Public Prosecutor with
Mr. Rajiv Vig, Addl. P.P. for U.T., Chandigarh.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483(2) of BNSS with a prayer to set aside the order dated 10.12.2025 (Annexure P-1), passed by the Court of Additional Sessions Judge, Chandigarh, whereby, the benefit of regular bail has been granted to Roopan Sachdeva, respondent No.2 in case arising out of FIR No.9 dated 18.01.2018 under Sections 406, 420, 120-B of IPC (Sections 467, 468 and 471 of IPC added later on), registered at Police Station Sector-49, Chandigarh.

2. The petitioner submits that the FIR in the present case was registered on the basis of the statement made by Gurmuk Singh Lehal, her father, who was the original member of Ajanta Cooperative Housing Society Limited, Sector-51, Chandigarh and she is the substituted complainant in the present case and is competent to move the present petition before this Court.

She further submits that the Additional Sessions Judge, Chandigarh has passed



the impugned order dated 10.12.2025 (Annexure P-1) by not appreciating the law correctly and the impugned order suffers from the vices of non-application of mind, reliance on irrelevant considerations and inherent contradictions. She further submits that in the present case, the investigation was complete and respondent No.2 was non-cooperative. Consequently, the custodial interrogation of respondent No.2 was essential. Apart from that, huge amounts on account of land costs and construction costs were embezzled. Still further, respondent No.2 was in continuous control of the affairs of the Society and during her tenure from 2003 to 2008, huge embezzlement, illegal withdrawals and unauthorized expenditures had taken place. Even, she had concealed her bank accounts, which were needed to be traced by the IO in the present case to trace the embezzled money and even the gravity of the offence was completely ignored by the Court, by granting the concession of bail. She further submits that the investigation in the present case materially remains incomplete till date and she adopted all methods to scuttle the investigation. Still further, the petitioner had made several representations to the police, but no heed was paid by any police officer. Further, the Additional Sessions Judge, Chandigarh granted the bail merely on the ground of age, profession and also on the ground that no recovery was to be effected from her and this caused serious prejudice to her. The petitioner further submits that Roopan Sachdeva, respondent No.2 was an integral part of the Managing Committee, w.e.f. 08.06.2003 to 16.08.2008, wherein she alongwith her co-accused had misappropriated huge amounts and a fraud of crores of rupees was committed.

3. I have heard the petitioner-in-person and perused the record carefully.



4. The Hon'ble Supreme Court has held in the matter of ***M. Dharmarajam and others Vs.State of Telangana and Anr., 2020(1) RCR Criminal, 540*** as follows:-

6. *The factors to be considered while granting bail have been held by this Court to be the gravity of the crime, the character of the evidence, position and status of the accused with reference to the victim and witnesses, the likelihood of the accused fleeing from justice and repeating the offence, the possibility of his tampering with the evidence and witnesses, and obstructing the course of justice etc. Each criminal case presents its own peculiar factual scenario, and therefore, certain grounds peculiar to a particular case may have to be taken into account by the Court. The Court has to only opine as to whether there is prima facie case against the accused. For the purpose of bail, the Court must not undertake meticulous examination of the evidence collected by the police and comment on the same.*

7. *In **Raghubir Singh Vs. State of Bihar, (1986) 4 SCC 481** this Court held that bail can be cancelled where (i) the accused misuses his liberty by indulging in similar criminal activity, (ii) interferes with the course of investigation, (iii) attempts to tamper with evidence or witnesses (iv) threatens witnesses or indulges in similar activities which would hamper smooth investigation, (v) there is likelihood of his fleeing to another country, (vi) attempts to make himself scarce by going underground or becoming unavailable to the investigating agency, (vii) attempts to place himself beyond the reach of his surety, etc. The above grounds are illustrative and not exhaustive. It must also be remembered that rejection of bail stands on one footing but cancellation of bail is a harsh order because it interferes with the liberty of the individual and hence it must not be lightly resorted to.*

8. *It is trite law that cancellation of bail can be done in cases where the order granting bail suffers from serious infirmities*



resulting in miscarriage of justice. If the Court granting bail ignores relevant material indicating prima facie involvement of the accused or takes into account irrelevant material, which has no relevance to the question of grant of bail to the accused, the High Court or the Sessions Court would be justified in cancelling the bail.”

5. In the present case, the FIR was initially got registered by Gurmuk Singh Lehal, father of the petitioner on 18.01.2018, whereas, the petitioner claims herself to be a substituted complainant, without disclosing any basis for the same. Still further, the case was investigated for a period of more than 4 years by Economic Offences Wing of Chandigarh Police and a cancellation report dated 12.07.2022 was submitted by the police in the concerned Court. However, the cancellation report was not accepted by the Court and further investigation was ordered. It is only during the course of further investigation, respondent No.2, who is 60 years old retired teacher, was arrested on 19.11.2025. Even she remained in judicial custody till 10.12.2025, when she was granted the concession of regular bail by the Court of Additional Sessions Judge, Chandigarh. Now, it is also not in dispute that the investigation has already been completed and challan has been presented before the competent Court of law. Still further, vide orders of even date, this Court has granted the concession of anticipatory bail to several similarly placed co-accused in CRM-M-65497-2024, CRM-M-2401-2025, CRM-M-2644-2025, CRM-M-3109-2025, CRM-M-3312-2025, CRM-M-5314-2025, CRM-M-5941-2025, CRM-M-6034-2025 and CRM-M-18982-2025.

6. In the present case also, respondent No.2, who is a senior citizen, is a retired teacher and remained in custody from 19.11.2025 to 10.12.2025 and



the recovery, if any, was already effected from her. Even otherwise, the case was based on documentary evidence and the challan has already been presented before the Competent Court of law. Further, respondent No.2 has no criminal antecedents and her custody would serve no useful purpose. Still further, there is no material to indicate that respondent No.2 is likely to abscond from the process of law or is in a position to influence the witnesses of the prosecution.

7. Taking into consideration the totality of facts and circumstances and without commenting on the merits of the case, the present petition is ordered to be dismissed.

8. Pending application, if any, stands also disposed of.

(N.S.SHEKHAWAT)
JUDGE

23.02.2026
hemlata

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