

2026.PHHC.020018-DB



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-38420 of 2025
Date of decision: 10.02.2026

AMANDEEP SINGH GODHAN

.....Petitioner.

V/S
UNION BANK OF INDIA AND OTHERS

... Respondent

CORAM: HON’BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON’BLE MR. JUSTICE SANJIV BERRY, JUDGE

Present: Ms. Isha Goyal, Advocate (Arguing Counsel)
Mr. R.P. Saini, Advocate for the petitioner.

Mr. Akaant Kumar Mittal, Advocate
for the respondents no. 1 and 2. (through V.C.)

Mr. Akashdeep Singh, Special Public Prosecutor
for respondent no. 3/CBI.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The reply filed by Central Bureau of Investigation (for short ‘CBI’) is taken on record, subject to costs of Rs. 10,000/- to be deposited with the Poor Patients Fund, PGI, Chandigarh.
2. The grievance of the petitioner/borrower is that consideration of proposal of One Time Settlement (OTS) is presently underway. However, criminal prosecution has been initiated by the Central Bureau of Investigation (for short, ‘CBI’), and the charge-sheet has been filed before the Special Court (CBI), Shimla, against the petitioner/borrower. The stand of the CBI, as is evident from the reply filed today (Page No. 14), is that they have recommended that the proposal of settlement under the OTS Scheme may not be accepted.

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3. Learned counsel for respondent/CBI does not dispute that while considering the OTS proposal, the respondent/Bank is required to apply its mind independently of the criminal prosecution initiated against the petitioner/borrower.

4. Learned counsel for petitioner/borrower draws attention to the Master Circular dated 01.07.2016 (Annexure P-4) issued by the Reserve Bank of India, particularly Clause 8.12.3, which reads as under:

“No compromise settlement involving a fraudulent borrower is allowed unless the conditions stipulate that the criminal complaint will be continued.”

5. In view of the stand taken by the CBI, this Court is of the considered view that while considering the OTS proposal, the mere fact that the petitioner, in his capacity as a borrower, is being prosecuted by the CBI will not come in the way of consideration of the proposal. The respondent/Bank shall decide the OTS proposal independently, in accordance with law.

6. With aforesaid liberty, petition stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

10.02.2026

Kamal Gandhi

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