

2026:PHHC:033237



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-72053-2025 (O&M)
Reserved on:-25.02.2026
Pronounced on:- 05.03.2026
Uploaded on:-

*Whether only operative part of the judgment is
Pronounced or the full judgment is pronounced: operative part/full judgment*

GANESH

.....PETITIONER

VERSUS

UNION TERRITORY OF CHANDIGARH

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. Vikram Chaudhri, Sr. Advocate with
Ms. Diya Bhagwan, Advocate for the petitioner.

Mr. Manish Bansal, PP, U.T., Chandigarh with
Mr. Ankur Bali, Addl. PP, U.T., Chandigarh
for the respondent-U.T.

Mr. J.S. Dhaliwal, Advocate for the complainant.

MANDEEP PANNU, J (ORAL)

1. The present is the first petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking grant of regular bail to the petitioner in case FIR No. 12 dated 16.06.2025, registered at Police Station Crime Branch, Chandigarh, under Sections 318 and 319 of the BNS, 2023, and subsequently Sections 204, 205, 238 and 168 of the BNS, 2023 were added.

2. Briefly stated, a secret information was received at Police Station Crime Branch, Chandigarh, to the effect that the petitioner, Ganesh Bhatt, was impersonating himself as an Army Officer and used to wear the uniform of an Army Major under the name “Major Ganesh Dahiya.” It was further alleged that he was involved in dubious activities and had earlier been arrested in the years 2021 and 2023 for similar acts of impersonation and for duping youths in Uttar Pradesh and Haryana on the pretext of recruitment in the armed forces.

3. During enquiry, it surfaced that the petitioner had been in contact with certain police officials of Chandigarh Police. On the basis of CDR analysis of mobile number 9115858589 and statements of Constable Hari Dass, Head Constable Rajbir Singh, ASI Vijay Kumar and L/C Manpreet Kaur were recorded, it was alleged that the petitioner introduced himself as an Army Major and cheated L/C Manpreet Kaur of an amount of Rs.4,00,000/-. Thereafter, upon completion of enquiry and after obtaining permission from senior officers, the present FIR was registered against the petitioner under Sections 318 and 319 of the BNS, 2023, and subsequently Sections 204, 205, 238 and 168 of the BNS, 2023 were added.

4. The petitioner has, in a detailed and date-wise narration, alleged that he has been falsely implicated in the present case as a result of prior disputes with certain police officials and he was subjected to harassment, coercion and illegal acts even prior to the registration of the present FIR. According to him, an incident dated 14.06.2025 at Panchkula, followed by raids at his relatives’ residence and pressure upon his friend Rishika, forms the background in which the present FIR No. 12 dated 16.06.2025 was registered. He contends that despite filing complaints and representations

before senior police authorities and even approaching this Court in writ proceedings seeking protection, no action was taken on his grievances, and instead he came to be arrested.

5. With regard to his antecedents, the petitioner has disclosed three other FIRs i.e. FIR No. 117 dated 17.04.2020 registered at PS Sector-14, Panchkula, in which a cancellation report has been submitted, FIR No. 353 dated 07.09.2021 registered at PS Chandimandir, Panchkula, in which he was granted bail by the competent Court and FIR No. 56 dated 19.04.2023 registered at PS Lal Kurti, Meerut, in which he was also granted bail. He has further pointed out that FIR No. 73 dated 24.06.2023 registered at PS Clement Town, Dehradun, stands quashed by the Hon'ble High Court. On these premises, he asserts that his arrest and continued custody are illegal and unjustified.

6. It is further averred that his arrest on 22.08.2025 was in complete violation of the settled procedure of law, as no independent and separate grounds of arrest were furnished to him or to his family members, thereby infringing the mandate of law governing arrest in offences punishable up to seven years. In support of this submission, he has placed reliance upon the judgments of the Hon'ble Supreme Court in ***Pankaj Bansal v. Union of India & Ors., 2023 SCC OnLine SC 1244, Prabir Purkayastha v. State (NCT of Delhi), (2024) 8 SCC 254; Ashish Kakkar v. UT, Chandigarh, 2025 SCC OnLine SC 1318, Vihaan Kumar v. State of Haryana, 2025 SCC OnLine SC 269 and Mihir Rajesh Shah v. State of Maharashtra and another, 2025 SCC OnLine SC 2356***, to contend that communication of grounds of arrest is mandatory and non-compliance thereof vitiates the arrest.

7. On the other hand, learned State counsel alongwith learned counsel for the complainant, has argued that the present FIR was registered on the complaint of L/C Manpreet Kaur, who alleged that the petitioner impersonated himself as an Army Major, induced her on the pretext of marriage, took a gold ring from her, and got Rs.4,00,000/- transferred to his account, besides withdrawing substantial amounts from her HDFC Bank account by using her ATM card and emotionally blackmailing her. It is submitted that during enquiry and investigation, it was revealed that the petitioner was posing as “Major Ganesh Dahiya,” wearing an Army uniform and duping persons on the pretext of providing jobs in the Army, and he has been involved in similar cases earlier. The State has further contended that pursuant to his disclosure statement, recoveries of Army uniform articles were effected from Panchkula, a damaged mobile phone was recovered from Gurugram, and efforts were made to recover the ATM card and other case property. It is also alleged that the petitioner destroyed evidence by breaking his mobile phone and throwing the gold ring in the river, leading to addition of further penal provisions. The State has emphasized that the investigation is at a crucial stage, certain witnesses are yet to be examined, the forensic examination of the recovered mobile phone is pending, and there is apprehension that if released on bail, the petitioner may tamper with evidence, influence or threaten witnesses, abscond, or repeat similar offences. On these grounds, dismissal of the bail application has been prayed for.

8. I have heard learned counsel for the parties and have gone through the paper-book as well as the status report filed by the State.

9. The primary contention raised on behalf of the petitioner is that his arrest is vitiated on account of non-supply of proper and independent grounds of arrest. However, the record reveals that the petitioner had earlier approached this Court by way of CRM-M No. 52156 of 2025 challenging the order dated 12.09.2025 whereby police remand had been granted, and the principal ground urged therein was also the alleged non-furnishing of grounds of arrest. During the course of arguments in the said petition, a copy of the grounds of arrest duly signed by the petitioner was produced by the State before the Court, whereafter learned counsel for the petitioner sought withdrawal of the said petition and the same was dismissed as withdrawn vide order dated 16.09.2025. In view of the aforesaid development, the plea regarding non-supply of grounds of arrest does not *prima facie* merit acceptance at this stage. The petitioner, having withdrawn the earlier petition after production of the signed grounds of arrest, cannot be permitted to reagitate the very same issue in the present proceedings.

10. Learned counsel for the petitioner has placed reliance upon the judgments of the Hon'ble Supreme Court in ***Pankaj Bansal's case (supra)***, ***Prabir Purkayastha's case (supra)***, ***Ashish Kakkar's case (supra)***, ***Vihaan Kumar's case (supra)*** and ***Mihir Rajesh Shah's case (supra)***, to contend that non-communication of the grounds of arrest vitiates the arrest and consequently entitles the accused to relief. There can be no quarrel with the settled proposition of law laid down in the aforesaid decisions that furnishing of grounds of arrest is mandatory and not a mere formality. However, the reliance placed on the aforesaid judgments is misconceived in the facts of the present case. As noticed hereinabove, the petitioner had earlier approached this Court in CRM-M No. 52156 of 2025 specifically on

the ground of non-furnishing of grounds of arrest. During the course of hearing of the said petition, the State produced on record the copy of the grounds of arrest duly signed by the petitioner. In view thereof, learned counsel for the petitioner sought withdrawal of the said petition and the same was dismissed as withdrawn vide order dated 16.09.2025. Thus, the factual foundation on which the above-cited judgments would apply i.e. total non-communication of grounds of arrest, is absent in the present case.

11. The judgments relied upon by the petitioner were rendered in cases where there was either complete failure to furnish the grounds of arrest or the same were not communicated in the manner mandated by law. In the present matter, once the record reflects that the grounds of arrest were indeed furnished and acknowledged by the petitioner, and the earlier petition raising the identical plea was withdrawn after production of the signed document, the ratio of the aforesaid judgments does not advance the case of the petitioner. Accordingly, the said precedents are clearly distinguishable on facts and do not render the arrest illegal in the circumstances of the present case.

12. On merits, the status report discloses that the present FIR was registered on the complaint of L/C Manpreet Kaur, who alleged that the petitioner impersonated himself as an Army Major, induced her on the pretext of marriage, obtained a gold ring from her, got Rs.4,00,000/- transferred to his account, and withdrew substantial amounts from her bank account by misusing her ATM card. During investigation, the petitioner is stated to have disclosed that he posed as “Major Ganesh Dahiya” and duped persons on the pretext of providing jobs in the Army. Pursuant to his disclosure statement, recoveries of Army uniform articles (Major rank),

uniform belt and cap were effected from Sector-25, Panchkula, a damaged mobile phone was recovered from Gurugram and attempts were made to recover the ATM card. It is further alleged that the petitioner destroyed evidence by breaking his mobile phone and throwing the gold ring in a river, leading to addition of further penal provisions. The investigation also indicates that he has been involved in similar cases earlier and that multiple FIRs have been registered against him in different States on similar allegations of impersonation and cheating.

13. Though it has been argued that in some of the earlier cases he has been granted bail and in one case the FIR stands quashed, the mere grant of bail in other cases does not ipso facto entitle the petitioner to bail in the present case. The antecedents of the petitioner, as reflected from the record, *prima facie* indicate a pattern of conduct adopting the same modus operandi of impersonating an Army officer to cheat unsuspecting persons. At this stage, the Court is not required to conduct a meticulous examination of the evidence or adjudicate upon the truthfulness of the allegations. The defence pleas raised by the petitioner with regard to previous disputes with police officials, alleged harassment, and other surrounding circumstances are matters which can appropriately be examined during trial and at the stage of appreciation of evidence.

14. The nature of allegations, the manner in which the offence is alleged to have been committed, the recoveries effected pursuant to disclosure, and the antecedents of the petitioner cumulatively do not persuade this Court to exercise the discretion of granting regular bail. There is also an apprehension expressed by the State that in case of release, the petitioner may influence witnesses or tamper with evidence.

15. Considering the totality of facts and circumstances, this Court is of the opinion that no ground is made out for grant of regular bail at this stage.
16. Accordingly, the present regular bail petition is dismissed.
17. It is, however, clarified that any observations made hereinabove are only for the purpose of deciding the present bail application and shall not be construed as an expression of opinion on the merits of the case during trial.
18. All pending miscellaneous application(s), if any, stands disposed of.

05.03.2026
Poonam Negi

(MANDEEP PANNU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>