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CRM-M No.35653 of 2025

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

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**CRM-M No.35653 of 2025
Date of decision : 01.8.2025**

Sanjay SinghalPetitioner
Versus	
State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Vikas Lochab, Advocate, for the petitioner
Mr. Deepak Grewal, DAG, Haryana

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.61 dated 15.2.2023, under Sections 420, 467, 468, 471 and 201 of IPC and Section 132 of GST Act (Sections 120-B of IPC added later on), registered at Police Station Sonipat Sadar, District Sonipat.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

*'To The Hon'ble Chief Minister, Haryana, CM Window, District Sonipat.
Subject: Request for legal action against an unknown person who has opened a firm by misusing my PAN card. Sir, I humbly request that the applicant Virendra Kumar son of Shri Rajendra Singh, is a resident of House No.23, village Bagdu, Tehsil and District Sonipat and I request you as follows: 1. That I received a notice from the Income Tax Department on*

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01.09.2022. When I went to the CA and inquired about that notice, I came to know that someone has opened a firm named SBJ Enterprises on my PAN card. This is false and fake. Someone has opened the said firm by tampering with my documents. 2. That I came to know about this firm only after receiving a notice and that this firm has made transactions of about Rs.7 crores in the year 2020-2021, which the CA informed me about. Therefore, it is requested to you that on the basis of the above facts, a case may be registered and legal action may be taken. I shall be highly obliged. Dated 06.06.2021, Applicant Virendra Kumar son of Shri Rajender Singh, House No.23 Village Bagdu, Tehsil and District Sonipat Phone No.9991110068.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 13.11.2024. Learned counsel has further iterated that no specific role has been attributed to the petitioner and the petitioner is not beneficiary of the alleged transaction. Learned counsel has further submitted that the petitioner is a man aged 48 years with no criminal antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has filed status report by way of affidavit of Jeet Singh, HPS, Assistant Commissioner of Police, Kharkhoda, Sonipat in Court today. The same be kept on record. Raising submissions in tandem with the said status report, learned State counsel has vehemently opposed the present petition and argued that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 13.7.2025 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

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6. The petitioner was arrested on 13.11.2024 whereinafter investigation was carried out and challan stands presented on 23.12.2024. Total 71 prosecution witnesses have been cited and only two has been examined till date. Thus it is indubitable that culmination of trial will take its own time. The rival contention raised by learned counsel for the parties give rise to debatable issues which shall essentially be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence. As per custody certificate dated 13.7.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of about more than eight months & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.

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- (iii) The petitioner shall not absent himself on any date before the trial.
 - (iv) The petitioner shall not commit any offence while on bail.
 - (v) The petitioner shall deposit his passport, if any, with the trial Court.
 - (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
 - (vii) The petitioner shall not in any manner try to delay the trial.
8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.
9. Ordered accordingly.
10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

01.8.2025
Ashwani

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