



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

318

**CRM-M No.33682 of 2025
Date of decision : 21.7.2025**

Narendra Choudhary**.....Petitioner****Versus****State of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Balram Prashar, Advocate, for the petitioner

Mr. Karunesh Kaushal, AAG, Punjab

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.187 dated 25.11.2024, under Sections 316(4), 344, 61(2) of Bharatiya Nyaya Sanhita, 2023 (Sections 318(4), 336(3), 338, 340(2) of BNS, 2023 added later on), registered at Police Station Cantonment, Amritsar.

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 SHO, Police Station-Cantonment, Amritsar, Subject: Complaint against Avinash Kumar S/o Kamlesh Kumar, R/o H. No 811, Gali No 6, Opp Gurudwara, Tung Pai Batala Road, Amritsar - 1. Punjab -143001 who is working as Senior Accountant at Amandeep Hospital, GT Road, Model Town, Amritsar for misappropriating/embezzling huge amount by committing fraud and forgery by transferring more than 3,00,00,000/-



(Three crore rupees) with the help of his Brother Chaman, father Kamlesh Kumar, Mother Anjana Devi, wife Shikha and Sister in Law Mandeep from the Current accounts of Amandeep Nursing College Jethuwal, Amandeep BR Medicity, Srinagar, Congenital Anomaly Treatment Trust (CATT), Avtar Medicos, Personal account of Dr.Avtar Singh to different accounts belonging to him, his relatives/ friends & associates. Respected Sir, I, Salil Mahajan working as Chartered Accountant with Amandeep Healthcare Private Limited hereby is filing a criminal complaint on behalf of the management of the company/hospital/Nursing College against Avinash Kumar S/o Kamlesh Kumar and others. The brief facts of the complaint are as under that Avinash Kumar S/o Kamlesh Kumar R/o address mentioned supra is working as senior accountant at Amandeep Hospital, GT Road, Model Town, Amritsar. 2. That Avinash Kumar is chiefly responsible for keeping the record of various banking accounts of Amandeep hospital management / transferring and receiving the amounts from various Units of Amandeep Hospital to different parties/Salarios of Staff/ Doctors payout etc. He has been working with the Amandeep Management from more than 32 years and his primarily responsibility was of transferring/receiving the amounts wherever necessary with the due permission and knowledge of the higher management of the hospital, because of this reason he had full access to all the passwords and log-in ids of the various banking accounts of Amandeep group's and its other related institutions. But he started acting adverse to the interest of the Amandeep group. 3. That initially when the management discovered irregularities in the accounts of Amandeep Nursing College, Jethuwal, we asked Avinash Kumar to clear the discrepancies. However, Avinash Kumar did not report to work on 21/11/2024 without informing anyone. When we tried to contact him, his official and personal phones were found to be switched off. Later on 21.11.2024 afternoon, Kuldeep Singh, a hospital guard, brought Avinash Kumar's official mobile phone (mobile number 95014-66166) to me which was switched off, stating that Avinash Kumar had handed it over to him to give it to me. Upon turning on the phone, I found that it had been completely formatted. 4. That thereafter, the hospital management initiated an internal investigation on 22/11/2024. It was discovered that Avinash Kumar had embezzled over 3 crores approx. from various accounts. He had wrongfully withdrawn money from different accounts and transferred it to accounts belonging to him, his



relatives and acquaintances. Specifically, money from the Amandeep B.R. Medicity Srinagar account (No. 366705000728, ICICI Bank) was first transferred to the Amandeep College of Nursing Jethuwal account (No. 374205000360, ICICI Bank). From there, through UPI entries, NEFT/IMPS transactions were made to various accounts of himself, his relatives, and acquaintances. Additionally, Avinash Kumar made transfers from the accounts of Congenital Anomaly Treatment Trust (CATI), and AVTAR MEDICOS accounts to Amandeep College of Nursing and also to himself, his relatives, and then through various UPI transfers from the account of Amandeep College of Nursing, Jethirwal to his own accounts and UPI accounts/bank accounts of his relatives/friends and associates. That in addition Avinash Kumar has also made direct transfers from Amandeep BR Medicity, Srinagar account to his account/ account of his relatives/ associates through UPI/IMPS method 5. That Similarly, Avinash Kumar embezzled approximately one and a half crore rupees from Dr. Avtar Singh's personal bank account (No. 01151000341399, HDFC) whereby he transferred this money to the account of Amandeep BR Medicity, Srinagar and Amandeep Nursing College, Jethuwal and ultimately transferred the amount through UPI/IMPS transfers to his account/account of his friends and his associates. His intention from very beginning was to commit dishonesty, fraud, and embezzlement with Dr. Avtar Singh, Amandeep Management, as revealed by the hospital's internal investigation. 6. That So far, approximately more than 3 crores of embezzlement has been detected. On 21/11/2024, Avinash Kumar did not report to work, and his phone numbers were switched off. That 2 employees were sent to his house to find out about him, but he was not found at home, and his family did not provide any information about him. 7. That Avinash Kumar, in connivance with his brother Chaman Kumar, father Kamlesh Kumar, mother Anjana Devi, wife Shikha, sister-in-law Mandeep, and other acquaintances, committed dishonesty, fraud, and embezzlement by withdrawing about approximately more than three crores from various accounts as per our estimation and internal inquiry till now. However this amount can be increased even further by investigating other accounts of the Amandeep Group of Hospitals which I shall report as and when come into my notice. Please register a case against all of them under the relevant sections of BNS 2023 and provide us with justice. Sd/Salil Mahajan. Thanking You. Salil Mahajan.'



3. Learned counsel for the petitioner has argued that the petitioner is in custody since 4.3.2025. Learned counsel has further submitted that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that the petitioner has been primarily involved into the FIR in question on account of disclosure statement of co-accused. Learned counsel has further argued that the case is essentially based on documentary related evidence and thus, there is no chance of the petitioner interfering with the prosecution evidence. Learned counsel has further iterated that the petitioner has clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing 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 20.7.2025 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.

6. The petitioner was arrested on 4.3.2025 whereinafter investigation was carried out and challan was presented on 22.5.2025. Total 27 prosecution witnesses have been cited but none has been examined till date. The trial in question is a magisterial one. The rival contentions 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 20.7.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of four months and six days & 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.
- (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/Illaq 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

21.7.2025

Ashwani

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No