



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

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CRM-M-56859-2025 (O&M)

Decided on:09.10.2025

Vikram Singh

...Petitioner

Versus

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice Rajesh Bhardwaj

Present: Ms. Anita Balyan, Advocate,
for the petitioner.

Rajesh Bhardwaj, J. (Oral)

CRM-40676-2025

Application is allowed, as prayed for.

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1. Prayer in the present petition, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioner in a case FIR No.76 dated 22.04.2025, registered under Sections 318(4), 336(2), 336(3), 336(4), 337, 338, 339, 340, 341(2) of the BNS, 2023, at Police Station Arya Nagar, Rohtak.

2. Succinctly, the facts of the present case are that the FIR in question was registered on the order dated 17.04.2025 passed by the learned Civil Judge (Senior Division), Rohtak, received through Anil Kumar, COC to Chief Judicial Magistrate, Rohtak, in which it was alleged that the order passed by the learned District and Sessions Judge, Rohtak dated 14.12.2024 has been found to be forged, which created a serious damage to the entire justice delivery system and faith of general public in the judicial institution. On registration of the FIR, the investigation commenced and during investigation, the complicity of the petitioner has been surfaced and he has been arrayed as an accused. Apprehending arrest, the petitioner approached the Court of learned

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Additional Sessions Judge, Rohtak for grant of concession of anticipatory bail, however, after hearing both the sides, the said relief was declined to him vide order dated 23.09.2025. Hence, aggrieved against the said order, the petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely and frivolously implicated in the present case. It is submitted that the petitioner is serving as Area Manager in the Cholamandalam Finance Company and he has been named as an accused on the statement of Bijender Singh. She submitted that the petitioner remained posted in Bahadurgarh Branch up to 01.12.2023 as Branch Business Manager and on the date of alleged occurrence, the petitioner has no concern in the area of Bahadurgarh and with the alleged offence, if any. The petitioner joined investigation on three different occasions and nothing incriminating material was found against the petitioner and, thus, he was not arrested by the Special Investigation Team. She further submitted that there was no telephonic contact between Sumit Balhara and the petitioner as per the Call Details Record produced by the police, which fact also proves innocence of the petitioner. She further submitted that there being no *prima facie* case made out against the petitioner, he deserves concession of anticipatory bail.

4. Notice of motion.

5. On asking of the Court, Mr. Sumit Jain, Addl. A.G., Haryana, has accepted notice on behalf of the respondent-State and opposed the bail application on the ground that complicity of the petitioner has been *prima facie* proved during investigation and the evidence collected so far duly proves involvement of the petitioner in the commission of offence. He further submitted that keeping in view grave nature of the allegations levelled against the petitioner, for the free and fair investigation, his custodial interrogation is

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essential. He, thus, submits that the present petition, being devoid of merit, deserves to be dismissed.

6. After hearing learned counsel for the parties and perusing the available record, it is deciphered that the case in hand pertains to the forging of a judicial order. It has been unearthed during investigation that the petitioner was the mastermind of the alleged crime. Firstly, he, in collusion with co-accused Lokesh and Naveen Trikha, not only forged the order dated 14.12.2024 in Arbitration Case No.441 of 2024 but also tried to implement the same by taking possession of one road roller, which was in the name of D.P. Enterprises, but was not subject matter of the aforesaid case, as the report received from the Court of District and Sessions Judge, Rohtak, depicts that no such was decided by that Court on 14.12.2024, as 14.12.2024 was a holiday. Not only this, the petitioner provided copy of the forged order dated 14.12.2024 through his Peon to the officials who were deputed for taking possession of the road roller and himself appeared in the Police Station Line Par, Bahadurgarh. Further, the petitioner himself conducted *rekki* at village Bamdoli on the date, time and place of the occurrence as his mobile location was found there and he very cleverly later on deleted history of the mobile phone and laptop of co-accused Lokesh, on which the order dated 14.12.2024 was forged. Now the seals used in forging the order dated 14.12.2024 and the mobile phones used in the commission of offence are yet to be recovered and, thus, custodial interrogation of the petitioner is very much necessary. Since the investigation is at threshold, therefore, the contentions raised by the learned counsel for the petitioner cannot be appreciated at this stage where he has approached this Court for the grant of concession of anticipatory bail. However, the same could be appreciated at the relevant stage.

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7. For the consideration of anticipatory bail, the statutory parameters are given under Section 482 (1) & (2) of BNSS which reads as under:-

“482. Direction for grant of bail to person apprehending arrest:

1. *When any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence, he may apply to the High Court or the Court of Session for a direction under this section; and that Court may, if it thinks fit, direct that in the event of such arrest, he shall be released on bail.*
2. *When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including*
 - (i) *a condition that the person shall make himself available for interrogation by a police officer as and when required;*
 - (ii) *a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
 - (iii) *a condition that the person shall not leave India without the previous permission of the Court;*
 - (iv) *such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.”*

8. Hon'ble Supreme Court in State represented by **CBI Vs. Anil Sharma**, (1997) 7 SCC 187 has held as under:-

“6. We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favorable order under Section 438 of the code. In a case like this effective interrogation of suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Succession such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail during

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the time he interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The court has to presume that responsible Police Officers would conduct themselves in task of disinterring offences would not conduct themselves as offenders.”

9. Hon’ble Apex Court in plethora of judicial precedents including **Gurbaksh Singh Sibbia Vs. State of Punjab, AIR 1980 SC 1632**, has time and again reiterated that while considering the anticipatory bail the Court is to take into consideration the factors like gravity of offence, chances of accused tampering with the evidence and probabilities of his fleeing from justice etc. The Court should be circumspect about the impact of its decision on the society as well. The anticipatory bail is an extraordinary discretion which should be exercised in the extraordinary circumstances.

10. Weighing the facts of the case on the anvil of the law settled, it is apparent that the complicity of the petitioner has been *prima facie* established. The investigation is at its threshold. Thus, granting anticipatory bail to the petitioner at this stage would scuttle the ongoing investigation.

11. In view of the facts and circumstances of the present case, this Court is of the opinion that the petitioner does not qualify for exercising the extraordinary power by this Court in his favour. Resultantly, the present petition, being devoid of any merit, is hereby dismissed.

12. Nothing said herein shall be construed as an expression of opinion on the merits of the case.

October 09, 2025
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(Rajesh Bhardwaj)
Judge

Whether Speaking/Reasoned: NO/YES
Whether Reportable: NO/YES