



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

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CRM-M-40788-2025

Date of decision: 31st July, 2025

Mukesh Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sunil Saharan, Advocate for the petitioner.

Mr. Apoorv Garg, Additional Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 143 dated 12.05.2025 registered under Sections 318(4), 319, 336(3), 338, 340 and 61 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Civil Lines, Hisar.

2. The aforementioned FIR was registered on the basis of an order passed by the Court of learned Additional Sessions Judge, Hisar in case arising out of FIR No. 536 of 2022 registered under Sections 21(8) and 27-A of NDPS Act at Police Station Sadar, Hisar. Lovepreet @ Labbu, who was one of the accused in the above mentioned FIR was ordered to be released on bail vide order dated 17.12.2024, subject to furnishing two sureties to the tune of Rs. 1,00,000/- each. On 28.01.2025, surety bonds were furnished by



two persons by representing that they were Sanjay Kumar and Pardeep Kumar sons of Rajmal residents of village Bheria, district Hisar. They were identified by Sunil Kumar, Panch of village Balak, District Hisar. On the basis of those surety bonds, accused Lovepreet Singh was extended benefit of bail. The actual Sanjay Kumar and Pardeep Kumar then submitted an application before the Court intimating that some other persons had impersonated them and had misused the *jamabandi* of properties in their name. As it was a case of fake sureties and fake identification, therefore, the concerned Court directed for taking action in the matter. After registration of FIR, investigation proceedings were initiated. During investigation, it was revealed that the petitioner was one of the persons who had furnished surety bonds by representing himself as Sanjay Kumar/Pardeep Kumar and by forging Aadhar cards. He was nominated as such. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail before the learned Additional Sessions Judge, Hisar, which was dismissed vide order dated 07.07.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He has no concern with the allegations in the FIR. His custodial interrogation is not required. He is ready to join the investigation. No recovery is to be effected from him. Therefore, it is urged that the petitioner deserves to be extended benefit of pre-arrest bail.

4. Notice of motion.

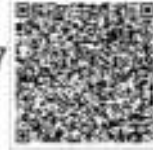
5. Learned State counsel has advance notice of the petition and is ready to argue the matter. It is submitted by him that the petitioner by hatching a conspiracy with the co-accused and with an intention to cheat and



defraud the Court, had furnished fake surety bonds before the Court of learned Additional Sessions Judge, Hisar. He had impersonated victims Sanjay Kumar and Pardeep Kumar and by fabrication of record had shown him to be owner of the agricultural land owned by above named Sanjay Kumar/Pardeep Kumar and by misusing the *jamabandi* qua the property owned by them. His custodial interrogation is must for conducting thorough investigation in the matter. No exceptional ground for grant of bail to him is made out. Therefore, it is urged that the petition does not deserve to be allowed.

6. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

7. The petitioner in connivance with the co-accused is alleged to have induced the Court of Additional Sessions Judge, Hisar to accept surety bonds for accused of FIR No. 536 of 2022. They impersonated themselves as Sanjay Kumar and Pardeep Kumar and also used to *jamabandi* issued in their names by fabrication of the same, to be owners of the said property. The surety so furnished by them has been found to be forged. The allegations against the petitioner are grave in nature as they have cheated the Court and committed the offence of forgery. For conducting thorough investigation in the matter, the custodial interrogation of the petitioner is must. It is also well settled that the Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extraordinary remedy. In the present case, no such exceptional circumstances



warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

31st July, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*