

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

2025:PHHC:097187



(299)

CRM-M-38957-2025

Date of decision: 31.07.2025

Nadeem Qamar

...Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr.S.Safdar Ali Kazmi, Advocate
Mr.Deepanshu Sharma, Advocate, for the petitioner.

Mr.Gaurav Gurcharan S.Rai, Senior DAG, Punjab.

Mr.G.S.Dhot, Advocate, for the complainant.

SUMEET GOEL, J. (ORAL):

1. Present petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case bearing FIR No.84 dated 14.04.2023 registered for the offences punishable under Sections 406, 420, 120-B IPC, offences under Sections 467, 468, 471 IPC (added lateron) at Police Station City Rajpura, District Patiala.
2. The gravamen of the FIR in question is that the petitioner is accused of committing an offence(s) of cheating and forgery etc.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the FIR. Learned counsel has further

iterated that the genesis of the FIR essentially have its roots in business transactions between the petitioner and the complainant/side. Learned counsel has further argued that the petitioner has been implicated in the multiple FIRs by his associates/friends and in the instant FIR filed by the complainant. Thus, regular bail is prayed for.

4. Counsel for the State 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 regular bail.

4.1 Learned counsel for the complainant has argued that the petitioner is accused of committing serious offences and he ought not to be granted the concession of bail. Learned counsel has further iterated that the petitioner has given the cheques which have been dishonoured. In this view of the matter, it is submitted by learned counsel for the complainant that the petitioner has aggravated the offence earlier committed by him. Learned counsel has further submitted that, on some of the cheque(s), the petitioner (herein) has forged the signatures of the drawer of the cheque(s).

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

6. The petitioner was arrested on 03.06.2025 and is in custody since then. The rival contentions of the parties give rise to debatable issues which shall essentially be ratiocinated upon during the course of trial. The FIR in question primarily relates to magisterial trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the investigation/trial. Nothing tangible has been

brought forward to indicate the likelihood of the appellant absconding from the process of justice or interfering with the remaining prosecution evidence.

As per the custody certificate dated 29.07.2025 filed by the learned State counsel, the petitioner has suffered incarceration of 1 month and 26 days. Further, as per the said custody certificate the petitioner is stated not to be involved in any other case.

Suffice to say, the further detention of the petitioner in custody is not required in the facts and circumstances of the case.

7. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned 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/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.

11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

July 31, 2025
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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No