



CRM-M-65534-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CRM-M-65534-2024
Decided on: 06.03.2025

AAKASH GOYAL

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. D.K. Singal, Advocate,
for the petitioner.

Ms. Mayuri Lakhanpal, DAG, Haryana.

Mr. Samjot Singh Thind, Advocate, and
Mr. J.S. Warring, Advocate,
for the complainant/Bank.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioner, who has been booked for having committed the offences punishable under Sections 120-B, 406 & 420 of IPC, 1860, in a case arising out of FIR No.203, dated 22.10.2022, registered at Police Station Sector 20, District Panchkula.

2. On 26.12.2024 following order was passed:-

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioner, who has been booked for having committed the offences punishable under Sections 120-B, 406 & 420 of IPC, 1860, in a case arising out of FIR No.203, dated 22.10.2022, registered at Police Station Sector 20, District Panchkula.

2. Counsel for the petitioner contends that the only allegation against the petitioner is that he



borrowed an amount of Rs.3,92,000/- in the year 2020 by mortgaging the gold ornaments, which were found fake. Counsel for the petitioner submits that empanelled valuer had examined the ornaments, and after verification of the same, the Bank of India had released the loan amount.

3. Citing another similar instance, learned counsel submits that one Sanjana Goyal had also obtained a loan, amounting to Rs.7,88,000/ from the same Bank and the gold ornaments were also verified by the empanelled valuer namely; Deepak Bhola (same valuer as in the case of present petitioner), who is absconding till date. Thus, he submits that fraud, if any, has been played by the empanelled valuer along with Bank officials and to express his bona fide, he is ready to pay back the loan amount.

Learned counsel further submits that the FIR was got lodged in October 2022, and now the police is after him to arrest.

4. Notice of motion.

5. On advance notice, Ms. Tanisha Peshawaria, DAG-cum-PP, Haryana, puts in appearance on behalf of the respondent – State, and seeks time to give clarification on the submission addressed by the petitioner.

6. Adjourned to 06.03.2025.

7. Petitioner would deposit the 50% of the total loan amount due as on date, within a period of 15 days, from today. On doing so, petitioner is directed to join investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 438(2) Cr.P.C.

8. Besides, petitioner would submit/surrender his passport before the Arresting Officer and an undertaking on oath that in case of leaving the Country, he would seek prior permission from the Investigating Agency/concerned Court.”

3. Learned counsel for the petitioner contends that in compliance of the order dated 26.12.2024 passed by this Court, the petitioner has joined the investigation, and has fully co-operated.



Counsel for the petitioner further submits that 50% of the loan amount, as ordered by this Court, has already been deposited with the bank, and the passport, which the petitioner was possessing, has also been surrendered before the concerned Investigating Officer.

Thus, he submits that petitioner has complied with all the directions passed by this Court in all respects. Thus, prays for confirmation of interim bail order dated 26.12.2024.

4. Learned State counsel on instructions from ASI Sunil Dutt, confirms the said statement made by counsel for the petitioner, and submits that the custodial interrogation of the petitioner would not be required as of now for the purpose of investigation.

5. Mr. Samjot Singh Thind, Advocate, puts in appearance on behalf of the complainant/Bank, and files his power of attorney in Court today, which is taken on record.

6. Learned counsel for the complainant – Bank does not dispute the factum of depositing of the amount by the petitioner, with the Bank as directed by this Court on the previous date of hearing. However, he opposes for grant of bail to the petitioner, by submitting that petitioner is involved in three more cases.

7. At this stage, counsel for the petitioner fairly repelled the said contention addressed by counsel for the complainant, by submitting that there is no other case registered against the petitioner.

8. After going through the record and hearing the submissions addressed by counsel for the parties, this Court does not find any substance in the objection raised by counsel for the complainant because



the Bank would be concerned only with the loan amount, part of which has already been deposited with the Bank by the petitioner.

Otherwise also, since the petitioner has joined the investigation and custodial interrogation is no more required, present petition is **allowed** and ad-interim order dated 26.12.2024 passed by this Court is hereby made absolute.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

9. At this stage, the counsel for the petitioner, expressing his apprehension, submits that the petitioner is a student pursuing an MBBS course in Mauritius, and the examinations are scheduled at the end of March, 2025. He further submits that in case, the application filed by the petitioner to seek permission to go abroad and releasing of passport, is not decided promptly, the petitioner will not be able to appear in the examinations at Mauritius and it may drastically impact his future career.

10. It is made clear that if any such application, as explained by the counsel for the petitioner, is pending before the concerned Court, the same would be decided expeditiously, in the interest of justice.

11. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

06.03.2025

Lavisha

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