



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

**105**

**CRM-M-53950-2025(O&M)  
Date of Decision: September 24, 2025**

Faraz Nadeem

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL**

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Present: - Mr.P.K.S. Phoolka, Advocate for the petitioner.

Mr.Neeraj Sheoran, Sr.DAG, Haryana and  
Mr.Mohit Chaudhary, AAG, Haryana.

**RUPINDERJIT CHAHAL, J.**

1. Prayer in the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.240 dated 23.08.2025 registered under Sections 319(2), 318(4), 336(2), 337, 338, 336(3), 340(2), 339, 61(2) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Civil Lines, Bathinda, District Bathinda.

2. Brief facts of the prosecution case are that the present FIR was registered on the complaint of the Officiating Reader in the Court of Judicial Magistrate Ist Class, Bathinda. It was reported that the petitioner was allowed bail by the co-ordinate Bench of this Court in FIR No.87 dated 08.06.2024, under Sections 74/77 of the IT Act and Sections



420/465/467/468/471/120B IPC, Police Station Canal Colony, Bathinda vide order dated 07.07.2025 passed in CRM-M-51471-2024. While furnishing documents for bail before the Judicial Magistrate Ist Class, Bathinda, the sureties Kaka Singh and Gurdeep Singh submitted fake and forged Aadhar Cards and Jamabandhis. The witnesses Lovepreet Singh and Lakhveer Singh did not submit their original Aadhar Cards when asked for. The matter was sent to the Station House Officer, who also found the aforesaid documents as forged and fabricated.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He has no role to play in the aforesaid crime and no recovery is to be effected from him. Learned counsel has further submitted that the petitioner is ready and willing to join the investigation as and when called upon to do so by the investigating agency.

4. Notice of motion.

5. Learned State counsel, who has appeared on advance notice of the petition, has opposed the prayer for grant of anticipatory bail on the ground that the allegations levelled against the petitioner are serious in nature. The custodial interrogation of the petitioner is required for proper and thorough investigation in the matter to recover the forged and fabricated documents used in the crime and also to find source of procurement of such documents. Hence, he prays for dismissal of the petition.

6. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner had secured



bail by furnishing fake sureties Kaka Singh and Gurdeep Singh. During inquiry by the SHO, it revealed that the documents submitted for furnishing bail of petitioner were forged and fabricated. The FIR in question was registered on the complaint of officiating Reader of Judicial Magistrate Ist Class, Bhatinda. Furnishing a fake surety is not a minor lapse. It amounts to a deliberate and calculated fraud played upon the Court and is indicative of intention to misuse the judicial process for securing the liberty of accused by playing fraud upon the Court. It is observed that number of cases in which fake sureties are being furnished in bail matters is on rise and this needs to be curbed.

7. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of Hon'ble Supreme Court in '**State Vs. Anil Sharma**', (1997) 7 SCC 187, wherein it has been held as under:

*"6. We find, force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such*



*interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is 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 a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders."*

8. In the present case, the petitioner was granted bail, and the sureties and witnesses with forged and fabricated documents were arranged in Court to facilitate his release, and thus, the petitioner was the direct beneficiary of the alleged commission of crime.

9. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Moreover, custodial interrogation of the petitioner is necessary for effective investigation and if it is denied, it will leave many loose ends, which is not desired. Thus, the present petition being devoid of merits is hereby dismissed.

10. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

**September 24, 2025**

**( RUPINDERJIT CHAHAL )  
JUDGE**

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Whether Speaking / Reasoned	Yes / No
Whether Reportable	Yes / No

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