



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

216

CRM-M-54589-2024

Date of decision: 27.08.2025

Malook Singh Uppal

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. H.S. Multani, Advocate and
Mr. R.S. Jagal, Advocate for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab
assisted by SI Balbir Singh.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.148 dated 02.10.2023 under Sections 406, 420, 120-B of the IPC registered at Police Station Nangal.

2. Status report by way of affidavit of Kulbir Singh Sandhu, PPS, Deputy Superintendent of Police, Nangal, District Rupnagar, has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

3. Learned counsel for the petitioner, at the very outset, submits that the petitioner has been in custody since 21.12.2023. The case is triable by a Magistrate and the trial is unlikely to conclude in the near future. Out of the 47 prosecution witnesses cited, only 15 have been examined so far, leaving 32 witnesses yet to be examined.



CRM-M-54589-2024

4. It is urged that the allegations attributed to the petitioner are of a peripheral nature. The prime accused, one Kewal Krishan Kalia, who is alleged to have operated and promoted the companies in question, has already been granted anticipatory bail by this Court vide order dated 28.08.2024 (Annexure P-4).

5. Learned counsel further contends that no victim has specifically alleged that any money was directly handed over to the petitioner. Even as per the case of the prosecution, the amounts were collected by co-accused Kewal Krishan and thereafter deposited in the companies. Although the petitioner is described as the Managing Director, there is nothing to demonstrate that he was the beneficiary of the alleged amounts.

6. Learned counsel further emphasises that after the investigation in the present case concluded, challan was presented on 14.02.2024, followed by framing of charges on 12.03.2024. The matter now rests purely on documentary evidence which is already part of the challan. It is, therefore, argued there is no that there is no possibility of the petitioner tampering with the evidence, which already forms part of the record.

7. Lastly, it is submitted that though the petitioner is stated to be involved in other cases, he has already been enlarged on bail by Coordinate Benches of this Court in those matters. On these premises, prayer has been made to extend the concession of regular bail to the petitioner.

8. *Per contra*, learned State counsel has vehemently opposed



CRM-M-54589-2024

the prayer made for made by the counsel opposite while not disputing the period of custody or the stage of trial, learned State counsel has highlighted the serious nature of allegations against the petitioner, who is alleged to have lured several persons into investing their hard-earned money under the false promise of handsome returns, and in the process defrauded them of an amount of approximately Rs.2,52,79,170/-.

9. While drawing the attention of this Court to the status report dated 26.08.2025, learned State counsel has further submitted that the petitioner is a person of criminal antecedents as he is involved in a number of cases under different provisions of the IPC and in as many as 35 cases under the Negotiable Instruments Act, 1881. It is, therefore, contended that the petitioner does not deserve the concession of bail. However, on being pointedly asked, learned State counsel on instructions, has not disputed that the prime accused Kewal Krishan is on bail and the petitioner has already been extended the concession of bail in the other pending cases against him.

10. I have heard learned counsel for the parties and perused the relevant material on record.

11. It is not in dispute that the petitioner has been in custody since 21.12.2023. Challan stands presented and charges were framed on 12.03.2024. Despite this, only 15 out of 47 witnesses have been examined till date. The conclusion of trial, therefore does not appear imminent.

12. No doubt, the allegations as contained in the FIR are *prima facie* serious in nature. However, the case rests substantially on



CRM-M-54589-2024

documentary evidence, which has already been collected and forms part of the challan. At this stage, this Court cannot enter into an assessment of the sufficiency or veracity of the evidence against the petitioner.

13. Having regard to the custody undergone, the stage of trial, the fact that the evidence is primarily documentary in nature and the case is triable by Magistrate, this Court is of the considered opinion that the petitioner deserves to be admitted to bail, albeit subject to stringent conditions which may be imposed by the learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

14. Consequently, the present petition is allowed the petitioner is ordered to be released on regular bail subject to his furnishing adequate bail/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned and further subject to any stringent conditions as the Trial Court/Chief Judicial Magistrate/Duty Magistrate may deem appropriate in the facts and circumstances of the case.

15. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

16. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

27.08.2025

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No