

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:140628



CRM-M-29469-2025

Date of decision:13.10.2025

Vikram Sharma

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Rimple Saini, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No.82 dated 28.09.2024 registered under Sections 318(4), 336(3), 340(2), 61(2), 111 of BNS 2023 and 21(1) of Mines and Mineral Acts, 1957, at Police Station Taragarh, Pathankot.

2. The aforementioned FIR was registered on the complaint lodged by Sunil Kumar, Junior Engineer-cum-Mining Officer alleging that on the night of 28.09.2024, checking of mining in the vicinity was being conducted as per instructions of Sub Division Officer, Kathua Malikpur. At about 01:40 A.M., three tippers were found stopped near the bridge of Kathlore (Pathankot). On demanding bills qua the material loaded on those

tippers, the drivers of the vehicle could not produce the same. Those vehicles were challaned. While the complainant was completing the process of issuing challans and made some online checking, he found some bills to be uploaded on the website to be fake and forged. After registration of the FIR, investigation proceedings were initiated and it was found that the vehicles were involved in illegal mining and taking minerals on the basis of forged and fabricated bills. Accused Saurav Saini and Gagandeep Sharma @ Prince were apprehended. They suffered disclosure statements on the basis of which the present petitioner was nominated as an accused. Whatsapp chats between the co-accused and the petitioner which had been exchanged on 27.09.2024 were also procured which revealed that all of them were involved in preparation of forged/fake bills of Mining Department and used to supply those bills to the owners of vehicles to cause loss to the government exchequer. These bills were created by using a fake/fabricated website which appeared like the original website of the Mining Department of the Punjab Government.

3. Co-accused Gaurav Khajuria was arrested on 17.04.2025 and suffered disclosure statement, on the basis of which the present petitioner was nominated as an accused. The present petitioner was arrested on 18.04.2025 and he too suffered a disclosure statement to the effect that in connivance with co-accused Gaurav Khajuria, he had prepared a website for editing bills and to prepare fake form 'Q' which were used for the purpose of carrying mines and minerals in vehicles, linking those bills with the website so created by him with the help of 'QR' code. He had copied original bill of one Kiran Stone Crusher, prepared a word file and then made a website of

the Mining Department of Punjab Government which appeared to be the actual website and had been selling those invoices to the drivers of different vehicles through co-accused Gaurav Khajuria and earned lots of money by causing loss to the government exchequer. The Investigation now stands completed and challan has been presented before the Court.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 18.04.2025 Subject offences are triable by the Magistrate. Trial will take considerable time to conclude. The ingredients for commission of offences punishable under Section 111 and 336(3) of the BNS are not made out against him. The co-accused Gaurav Khajuria and Sanjeev have been extended benefit of bail. On parity, he too be given the same benefit. He does not have any criminal antecedents. It is, therefore, urged that the petition deserves to be allowed.

5. Per contra, learned State counsel while referring to the status report has argued that although the allegations against the petitioner are serious in nature as he was the mastermind of the crime and had committed the offences of forgery as well as cheating by forming a gang with the co-accused. There are chances of his absconding or committing similar offences, if extended benefit of bail. It is, therefore, urged that the petition does not deserve to be allowed.

6. This Court has heard rival submissions made by learned counsel for the parties.

7. The petitioner is alleged to have hatched a conspiracy with the co-accused in pursuance of which, he prepared false website of Mining Department, State of Punjab as well as fake and forged mining 'Q' Form bills

pertaining to the same Department. Such bills were linked and uploaded on the fake website of the State Government to cause wrongful financial loss to it and for wrongful profits for him as well as co-accused. The investigation now stands concluded. The trial will take considerable time to conclude. The petitioner does not have criminal antecedents. Co-accused have been extended benefit of bail.

8. In view of the above discussed facts, this Court is of the considered opinion that this petition deserve to be allowed. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal/surety bonds to the satisfaction of learned trial Court/learned Chief Judicial Magistrate/Duty Magistrate concerned.

9. It is, however, made clear that nothing stated hereinabove shall have any bearing on the merits of the case.

13.10.2025

harjeet

**(MANISHA BATRA)
JUDGE**

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