



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

223

CRM-M-29126-2025  
Decided on : 03.07.2025

Arvind Kumar . . . Petitioner(s)

Versus

State of Haryana . . . Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

**PRESENT:** Mr. Navneet Singh, Advocate  
for the petitioner(s).

Mr. PK Jhanda, DAG, Haryana.

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**SANJAY VASHISTH, J. (Oral)**

1. In the present case, on 29.05.2025, following order was passed:-

*"i) Present petition has been filed under Section 483 of BNSS read with Section 439 Cr.P.C., seeking regular bail in case FIR No.01 dated 09.01.2018, under Sections 420, 406, 467, 468, 471, 201 IPC, registered at Police Station SVB (State Vigilance Bureau), now transferred to the Anti-Corruption Bureau, Hisar, District Hisar.*

*ii) Learned counsel for the petitioner contends that the allegation against the petitioner is that during the period 2009 to 2010, extended up to the year 2011, he supplied security guards to the Haryana Agricultural Marketing Board, but failed to deposit the Employees' State Insurance Fund, the amount of Employees' Provident Fund, and service tax. It is alleged that in this manner, the petitioner caused a loss of approximately Rs. 97 lakhs.*

*iii) It is further submitted that for the said alleged default, FIR was registered in the year 2018, and the petitioner was arrested on 21.02.2025. Since then, he has remained in custody. Although the investigation has been completed and charges have been framed, the process of recording prosecution witnesses is yet to commence.*

*iv) Counsel further submits that all the offences are triable by the Court of Learned Magistrate and that the trial is not likely to conclude in the near future, as there is a long list of about 47 prosecution witnesses.*

*v) It is also contended that under the law, only the concerned department could have lodged a complaint against the petitioner in case of any default. However, no such complaint was ever forwarded by the department to the police, and yet the FIR was registered. Hence, the petitioner prays for the grant of regular bail.*

*vi) On the other hand, learned State Counsel, while opposing the prayer for bail, submits that this is not a simple case of non-payment of statutory dues. It is alleged that the petitioner forged a partnership deed and, on that basis, secured a tender during 2009-2010, which was later renewed up to 2011. In order to show that the taxes in question had been paid, the petitioner allegedly forged tax receipts and submitted them to the concerned office.*



*It is further submitted that these facts came to light during the investigation conducted by the Anti-Corruption Bureau (ACB).*

*vii) Let a status report be filed by the learned State Counsel on or before the next date of hearing.*

*viii) List for hearing on 03.07.2025.”*

2. Learned counsel for the petitioner submits that after completion of investigation, challan has already been presented. However, process of recording the statements of the witnesses is yet to commence. It is further submitted that the offences alleged are triable by the Court of the learned Magistrate and culmination of the trial will take considerable time, particularly in view of the long list of prosecution witnesses, totaling 47 in number.

3. Learned counsel further contends that most of the allegations are based upon documentary evidence, and as such, there is no possibility of the petitioner tampering with the evidence or influencing the material witnesses. Thus, learned counsel prays for grant of the concession of bail to the petitioner.

4. On the other hand, learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner is involved in a serious offence pertaining to embezzlement of public money, and therefore, does not deserve the benefit of leniency.

However, the factual assertions made by learned counsel for the petitioner have not been controverted by the learned State counsel.

5. Having considered the submissions addressed by learned counsel for the parties and upon perusal of the record, I am of the view that the petitioner's prayer for bail deserves consideration, as his liberty cannot be curtailed merely on the basis of allegations, until the charges are proved



and guilt is established beyond reasonable doubt.

6. Moreover, the alleged embezzlement of public money is yet to be proved by the prosecution through cogent and reliable evidence. It is also noteworthy that the petitioner has been in custody since 21.02.2025, all the offences are triable by the Court of the learned Magistrate, and given the long list of prosecution witnesses (as noticed above), the petitioner's plea for grant of regular bail is found to be meritorious.

7. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made here-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. Petition stands disposed of.

(SANJAY VASHISTH)  
JUDGE

**July 03, 2025**

*J.Ram*

*Whether speaking/reasoned: Yes/No*

*Whether Reportable: Yes/No*