Docid # IndiaLawLib/2448106

PUNJAB AND HARYANA HIGH COURT

SINGLE BENCH

(Before : Manisha Batra, J.)

RAVI KUMAR @ GOLU

Vs.

STATE OF HARYANA

Criminal Miscellaneous (M) No 31120 of 2026

Decided on : 24-07-2026

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 483 — Bharatiya Nyaya Sanhita, 2023 — Sections 316(4), 318(4), 336(3), 338, 340(2) — Regular bail — Grant of — Petitioner alleged to have facilitated fraudulent loan accounts causing pecuniary loss to financial company — Investigation concluded, charges not yet framed, case based on documentary evidence already with investigating agency, similarly placed co-accused already granted bail — Held, principle of parity applies; pre-trial incarceration cannot be allowed to assume character of post-conviction sentencing — Regular bail granted without expression of opinion on merits, subject to furnishing of bonds. [Para 6]

JUDGMENT

Manisha Batra, J.-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. 473 dated 08.12.2025 registered under Sections 316(4), 318(4), 336(3), 338, 340(2) and 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station City Fatehabad, District Fatehabad.

2. As per the allegations, certain employees of Bharat Finance Inclusion Limited formed a syndicate and indulged in committing financial fraud by opening loan accounts in the names of customers and by misappropriating the sanctioned loan amounts. It was found that around 14 such loan accounts were fraudulently opened, resulting in a loss of₹ 10,79,786/- to the company. On the complaint of the Branch Manager of the complainant company, the aforementioned FIR was registered. During the investigation, the matter was transferred to the Economic Offences Wing, Patiala. Statements of the loan holders were recorded, who disclosed that they had been induced on the false promise of small loans and had no knowledge that loans of higher amounts had been sanctioned in their names. The accused Mukesh, who had been entrusted by the complainant company with the work of collecting KYC documents and facilitating the formalities for opening loan accounts, was arrayed as one of the accused and the

petitioner was arrayed as accused. The petitioner was arrested on 29.12.2025. During interrogation, he suffered a disclosure statement admitting his involvement in the crime. He further disclosed that the co-accused Mukesh Kumar being a Loan Officer, and Arun Kumar had conspired with him to cheat the complainant company by arranging fake and forged identity documents, getting the loan amounts sanctioned and thereafter utilizing those amounts. Accused Mukesh Kumar was also arrested. He also disclosed the manner in which the entire conspiracy was executed and the loan amounts were utilized. Investigation qua the petitioner and co-accused Mukesh Kumar stands concluded. One of the accused is absconding.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in the present case. He was a Loan Officer of the company, and that his services had already been terminated before the lodging of the FIR. The petitioner has been in custody since long. Investigation has since been concluded. The trial is likely to take considerable time to conclude. The offences in question are triable by the Magistrate. The petitioner has clean antecedents. His further incarceration is not going to serve any useful purpose. Co-accused Mukesh Kumar has already been extended the benefit of regular bail. On the ground of parity, the petitioner also deserves to be extended the same concession. It is, therefore, argued that the petitioner deserves to be granted the concession of regular bail.

4. Learned State counsel, while relying upon the status report, has argued that the allegations against the petitioner are serious in nature. He was an active participant in the conspiracy hatched with the co-accused, whereby fraudulent loan accounts were opened and a huge wrongful loss was caused to the complainant company. There are chances of his absconding or committing similar offences, if extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

6. The petitioner has remained in custody since 29.12.2025.

Investigation has since been concluded. The trial is likely to take considerable time to conclude, as even the charges have not yet been framed. The subject offences are triable by the Magistrate. Similarly situated co-accused has been extended benefit of bail. The principle of parity also weighs in favour of the petitioner. Considering the period of custody already undergone by the petitioner, the stage of the trial and the fact that the prosecution case is primarily based on documentary evidence already in possession of the investigating agency, further incarceration of the petitioner is not warranted. It is well settled that pre-trial incarceration cannot be permitted to become a replica of post-conviction sentencing. Accordingly, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail, subject to his furnishing requisite personal and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

7. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.