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

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CRM-M-21345-2026 (O&M)
Date of decision: 09.07.2026

Mukesh Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Rishab Bhandari, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. Prayer in the present petition, filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 473 dated 08.12.2025, registered under Sections 316(4), 318(4), 336(3), 338, 340(2) and 61(2) of the Bharatiya Nyaya Sanhita at Police Station City Fatehabad, District Fatehabad.

2. As per the allegations, certain employees of Bharat Finance Inclusion Ltd. allegedly formed a syndicate and indulged in financial fraud by opening loan accounts in the names of customers and misappropriating the sanctioned loan amounts. It was found that around 14 loan accounts were fraudulently opened, resulting in an alleged loss of Rs.10,79,786/- to the company. The petitioner, who was entrusted with collection of KYC documents and facilitation of account opening formalities, has been arrayed as one of the accused along with the Branch Credit Manager and another

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employee. The investigation has been completed and the final report has already been presented before the trial Court.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated and no specific role has been attributed to him except that he was performing clerical functions relating to collection of KYC documents. It is argued that the authority to sanction and approve loans vested exclusively with the co-accused Branch Credit Manager and there is no allegation that the petitioner sanctioned any loan, handled disbursement of money or derived any wrongful gain. It is further argued that the entire case rests upon documentary evidence which has already been seized by the investigating agency. The investigation stands concluded and the challan has been presented. No recovery of the alleged misappropriated amount has been effected from the petitioner and the only recovery is that of a mobile phone, which has no nexus with the alleged offence. Learned counsel further submits that the petitioner has been in custody since 29.01.2026. He has clean antecedents and is not involved in any other criminal case. The trial is likely to take considerable time to conclude as even charges have not been framed so far. It is, thus, prayed that the petitioner deserves to be given the concession of regular bail.

4. Status report and the custody certificate of the petitioner have been filed by the respondent-State. It is argued by learned State counsel that the petitioner is specifically named in the FIR and was part of the conspiracy whereby fraudulent loan accounts were opened, thereby causing wrongful loss to the finance company. The allegations against him are serious in nature. Hence, it is urged that the petition is liable to be dismissed.

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5. This Court has heard the rival submissions.
6. The petitioner along with the co-accused is alleged to have committed financial irregularities by facilitating the opening of loan accounts in the names of customers thereby causing wrongful loss to the finance company. On a perusal of the record, this Court finds that the investigation stands concluded and the challan has already been presented. The offences alleged against the petitioner are triable by the Magistrate. The petitioner has remained in judicial custody since 29.01.2026, has clean antecedents and it is not disputed that charges have not yet been framed. Hence, the trial is likely to take considerable time to conclude. 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.

09.07.2026*Waseem R. Ansari***(MANISHA BATRA)
JUDGE***Whether speaking/reasoned**Yes/No**Whether reportable**Yes/No*