

High Court junks Bikram Majithia bail plea, fixes 3 months for probe

Akali leader facing probe for accumulation of over Rs 540 crore through illegal entities

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The Punjab and Haryana High Court on Thursday dismissed the bail petition of former Punjab minister Bikram Singh Majithia in a corruption case based on a special investigation team (SIT) report alleging accumulation of more than Rs 540 crore through illegal entities.

Justice Tribhuvan Dahiya, at the same time, set a three-month deadline for the investigation's completion.

"The court is conscious of the fact that he cannot be kept in custody for an indefinite period as that would infringe his right to liberty. Also, the investigation agency owes a duty to the state to complete the investigation within a reasonable time. Therefore, it is directed that the investigation be completed within three months. Thereafter, the petitioner can seek his release on bail," Justice Dahiya asserted.

The high court observed that Majithia was accused of

serious economic offences and the investigation revealed "huge unaccounted money in his bank accounts, as also setting up of a large number of companies through which the financial transactions had been carried out surreptitiously for his benefit".

Justice Dahiya said it had come to the probe agency's notice that money was routed through foreign entities based in Singapore and Cyprus. "The petitioner was directly or indirectly in control of most of these entities with immediate family members, and appears to be the key beneficiary," the high court said.

The Bench observed that leads to track the money trail were being followed. "Not just the role of these companies, but also that of the petitioner's close associates and financial experts is under investigation," it said.

Referring to the stage of investigation and the apprehension of interference, Justice Dahiya asserted the investigators were said to be in the process of accessing crucial records regarding "questionable financial transactions from various banks, financial institutions and other agencies".

Describing the petitioner as "a prominent political figure in Punjab", the Bench asserted he had been a cabinet minister in the government for over seven years. The investigation agency had cited about 20 material witnesses termed

“vulnerable”, it said.

The possibility of influencing the further course of investigation, trying to cover up the questionable transactions, manipulating the record relating to the same and influencing the persons or witnesses concerned not to cooperate with the investigating agency cannot be ruled out, in case the petitioner was to be released from custody at the current stage, the high court said.

Rejecting the argument that the registration of a separate FIR was irregular, the high court held that reliance on a judgment was misplaced. Justice Dahiya observed there was no legal bar on lodging a second FIR where separate offences came to light during investigation. “There is no absolute bar on registering a fresh case for separate offences on the basis of material coming to notice while investigating a case.”

The case has its genesis in the FIR dated June 25 registered under the provisions of the Prevention of Corruption Act at the Vigilance Bureau police station, FS-1, Mohali. The FIR was based on the SIT report referring to alleged accumulation of over Rs 540 crore. Punjab Advocate-General Maninderjit Singh Bedi and Additional Advocate-General Chanchal K Singla appeared for the state along with the law officers assisting them.