



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

CRM-M-398-2025 (O&M)
Date of decision: 01.04.2025

Harpreet @ Sardara @ Sahil

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. G.S. Sandhu, Advocate and
Mr. Davinder Pal Manchanda, Advocate for the petitioner.

Mr. Arjun Lakhanpal, Addl. A.G. Haryana.

KARAMJIT SINGH, J. (ORAL)

CRM-3510-2025

Application is disposed of having been rendered infructuous.

CRM-M-398-2025

1. The present petition has been filed by the petitioner under Section 483 of BNSS 2023 seeking grant of regular bail in case having FIR No.108 dated 15.06.2024, under Sections 406, 420, 467, 468, 471, 506, 34 of IPC, registered at Police Station Garhi, District Jind.
2. The allegations in brief are that the accused person including the present petitioner took amount of Rs.19,50,000/- from complainant on the pretext of sending him to Australia. However, thereafter, the accused persons failed to fulfill their promise and also refused to return the amount in question and misappropriated the said amount. During investigation, the petitioner was arrested and is in custody since 25.08.2024.
3. The counsel for the petitioner inter alia submits that all the offences are triable by the Court of Judicial Magistrate Ist Class and that petitioner is incarcerated since 25.08.2024 and on completion of investigation, police has presented challan but it will take time for the trial



to conclude and further the petitioner is having no criminal history. The detention of the petitioner in judicial custody for any longer period is not going to serve any useful purpose.

4. The present petition is resisted by the State counsel who submits that the petitioner duped the complainant on the pretext of sending him abroad and took huge amount from him. However, the State counsel has not disputed the fact that petitioner is in custody since 25.08.2024 and is not involved in any other criminal case and further challan stands presented but till date, charges are not framed against the accused persons including the petitioner.

5. I have considered the submissions made by counsel for the parties.

6. The petitioner who is in custody since 25.08.2024 is presently lodged in judicial custody. On culmination of investigation, police has presented the challan against the petitioner who is having no criminal antecedents. The trial will commence only after the framing of charges and even thereafter, it will take time for trial to terminate. In the given circumstances, no fruitful purpose is going to be served by prolonging judicial custody of the petitioner.

7. In view of the above, without commenting 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 bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

01.04.2025

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No