



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.1303 of 2025
Date of Decision: 05.02.2025
Reserved on: 29.01.2025

Gurcharan Singh... Petitioner

Versus

State of Haryana... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Shailender Singh Momi, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
339	04.07.2024	Thanesar Sadar, District Kurukshetra	420, 467, 468, 471 and 506 of IPC (120-B of IPC added later on)

2. Adumbrated facts as emanating from the record are that the aforementioned FIR had been registered on the basis of a complaint lodged by the complainant Jaipal on the allegations that he was introduced with the petitioner in the year 2022. By representing that he had links with officers posted on high posts in Police Department and other Government Departments and could get his son appointed on some

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Government job, he induced the complainant to part with money. On believing the petitioner, the complainant had parted with a sum of Rs.15 lakhs. The petitioner and co-accused assured to get his sons employed in some Government job. Then on their inducement, the complainant also introduced his relatives and friends with the petitioner and other co-accused, who also gave huge amounts of money to the petitioner and the co-accused for the purpose of getting their wards employed in some Government jobs and in this manner, the petitioner made them part with a sum of Rs.1,25,00,000/-. Subsequently, the signatures of the sons and other persons who were desirous of having some Government job, had been taken by the petitioner and the co-accused. Some joining letter had been given by the petitioner and co-accused but they were found to be fake and fabricated. The complainant and other victims then demanded their money back but were extended threats to face dire consequences. While alleging that he along with the other victims had been cheated by the petitioner and co-accused, the complainant prayed for taking action in the matter. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 30.08.2024. He was interrogated and suffered disclosure statement admitting his involvement in the subject crime. He got recovered a sum of Rs.1,00,000/- out of the amount received from the complainant. Investigation has since been completed and challan stands presented.

3. It was argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since long. Investigation has been completed. Trial is likely to take time. The subject offences are triable by Magistrate. His further incarceration would not serve

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any useful purpose. Infact, it was the accused Rajesh Kumar Sharma who was alleged to have received money from the complainant and other victims. The said Rajesh Kumar Sharma issued two cheques of Rs.50,00,000/- each in favour of the sons of the complainant but he has died now. The petitioner has received only a sum of Rs.25 lakhs out of amount of Rs.1,25,00,000/- and he could get the same recovered. With these broad submissions, it was urged that he deserves to be released on bail.

4. Status report has already been filed by the respondent-State. It was argued by learned Assistant Advocate General, Haryana that there are serious allegations against the petitioner who himself has admitted factum of receipt of Rs.25 lakhs from the complainant and other victims on the pretext of getting them employed in some Government job. He has criminal antecedents as one more case of similar nature is pending against him. He may intimidate the witnesses or abscond if extended benefit of bail. Therefore, it was urged that he does not deserve to be released on bail.

5. Learned counsel for both the parties were heard at considerable length.

6. The petitioner in connivance with the co-accused is alleged to have cheated the complainant by inducing him to part with money on the pretext of getting his sons procure some Government job. He is alleged to have received an amount of Rs.25 lakhs by deceiving the complainant and his relatives etc. He is further alleged to have prepared forged and fake joining letters and given the same to the victims. He himself has admitted in this petition that he had received a sum of Rs.25 lakhs. The allegations

against the petitioner are quite serious in nature. The material witnesses are

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yet to be examined. The apprehension that the petitioner may intimidate the witnesses or abscond cannot be stated to be unfounded at this stage. In view of the discussion as made above, I am inclined to hold that the petitioner does not deserve to be extended benefit of bail at this stage. Accordingly, the petition is dismissed.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

05.02.2025
manju/Parveen Sharma

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No