

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

238

**CRM-M-7138-2025 (O&M)
Date of Decision: 27.05.2025**

Tarsem

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. Himanshu Bansal, Advocate for the petitioner.

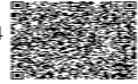
Mr. Ashok Sehrawat, DAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed, under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of bail pending trial to the petitioner in FIR No. 239 dated 20.04.2021, registered under Sections 120-B, 406, 420, 467, 468, 471, 506 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station City Panipat, District Panipat.

2. Learned State counsel has also produced custody certificate dated 26.05.2025, which is taken on record. Registry to tag the same at appropriate place.

3. Allegations are that petitioner along with co-accused hatched criminal conspiracy and cheated complainant to tune of crores of rupees on pretext of selling land by using forged and fabricated documents.



4. Contends that petitioner is in custody since 15.11.2022; final report under Section 173 of Cr.P.C. was presented on 13.10.2021 and charges were considered on 05.11.2024; but out of total 89 prosecution witnesses, none has been examined till date, thus, trial will take sufficient long time.

5. Learned State counsel, on instructions, is not able to dispute the above factual position, but he opposed the prayer on the premise that petitioner is facing other criminal cases of similar nature; thus, he does not deserve the concession of bail pending trial.

6. Heard both sides and perused the paper-book.

7. There is no quarrel that petitioner is in custody since 15.11.2022; final report under Section 173 of Cr.P.C. was presented on 13.10.2021; charges were considered on 05.11.2024 and out of total 89 prosecution witnesses, none has been examined till date. Of course, he is facing other criminal cases of similar nature, but in the present scenario, trial is likely to take sufficient long time. As the petitioner has already undergone custody of 02 years, 06 months and 08 days; therefore, further incarceration would not serve any purpose.

8. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date of hearing and fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations be not construed as an expression of opinion on the merits of the case.

11. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

27.05.2025

Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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