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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-11276-2025 (O & M)

Date of decision: 08.05.2025

Harnek Singh

.... Petitioner

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Mohit Khatkar, Advocate,
for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

CRM-M-10165-2025

The application for placing on record the order dated 05.03.2025 passed in CRM-M-9655-2025 (Annexure P-7), is allowed as prayed for subject to all just exceptions. The same is taken on record.

CRM-M-11276-20256

The prayer in the present petition under Section 483 BNSS (439 of Cr.P.C.) is for the grant of regular bail to the petitioner in case FIR No.817 dated 17.10.2024 under Sections 406, 420, 120-B IPC and Sections 10, 24 of the Immigration Act registered at Police Station Shahabad, District Kurukshetra.

2. The brief facts of the case are that the instant FIR was registered on the basis of a complaint made by the complainant-Sarvjeet Singh with the



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allegations that the petitioner and his co-accused had duped him to the tune of Rs.34 lacs for sending him abroad.

3. The learned counsel for the petitioner contends that the petitioner is in custody since 07.11.2024. The investigation stands completed but none of the 16 prosecution witnesses have been examined so far. Hardev Singh, a co-accused has been granted the concession of bail by the Trial Court vide order dated 18.01.2025 (Annexure P-6) whereas another co-accused/Karandeep Singh has been granted the concession of bail by this Court vide order dated 25.02.2025 (Annexure P-7). He contends that the petitioner is entitled to the similar relief.

4. The learned counsel for the State, on the other hand, contends that the allegations against the petitioner and his co-accused are grave. Therefore, he is not entitled to the concession as prayed for. He, however, concedes that the petitioner is in custody since 07.11.2024 but none of the 16 prosecution witnesses have been examined so far and that two co-accused have been granted the concession of bail.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. The case is triable by the Court of a Magistrate. Two co-accused have been granted the concession of bail. The petitioner is in custody since 07.11.2024 but none of the 16 prosecution witnesses have been examined so far. In this situation, the trial of the present case is not likely to be concluded anytime soon. As such, the further incarceration of the petitioner is not required.



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7. Thus, without commenting upon the merits of the case, the present petition is allowed and the petitioner, namely, Harnek Singh is ordered to be released on bail to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. The present petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 08, 2025
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No