



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

219

CRM-M-11840-2025

Date of decision: 4th July, 2025

Raj Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Arjun Sheoran, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 255 dated 05.06.2024 registered under Sections 420, 467, 468, 471 and 120-B of IPC at Police Station Civil Line, Sirsa.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of a complaint lodged by the complainant Anmol Kumar that his brother Anusandha and himself were searching for a job. The petitioner, who was acquainted to them, represented that his friend Rahul Arya was having direct contacts in the Railway Department and could get them employed in railway department. He induced them to part with a sum of Rs. 18,00,000/- each i.e. total sum of Rs. 36,00,000/- for the purpose of employing them in group-C



posts of ticket collector in Railway Department. He also arranged meeting between the complainant, his brother and the co-accused Rahul Arya, who too induced them. They were further induced by the remaining accused. All of them induced the complainant and his brother to part with a huge amount of money. They were even issued appointment letters for the post of ticket collector (TC) and identity cards were also got issued in their names. They were even made to join at Hazrat Nizamudin, Railway Station, Delhi by representing that they will remain on training for three months. On 10.07.2022, when the complainant and his brother were performing duty at Pathankot Express train, a checking was conducted by the railway staff and only then they came to know that false and fake identity cards had been issued in their names and infact no appointment letters had been issued in their favour. The complainant and his brother contacted the petitioner and other accused who still tried befool them by saying that they were required to clear one more examination. On their complaint, the aforementioned FIR was registered. Investigation proceedings were initiated. Another complaint was moved by one Malkit Singh against the petitioner, who too had been duped of money by the present petitioner. The petitioner was arrested on 30.09.2024. On interrogation, he suffered disclosure statements admitting his involvement in the crime and demarcated the place of occurrence. He got recovered a sum of Rs. 10,000/-. Investigation has since been concluded and challan qua the petitioner stands presented.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He has been in custody since long. Subject offences are triable by Magistrate. The trial is likely to take time to



conclude. No purpose would be served by keeping him in custody anymore. A compromise has been arrived at between the accused Rahul Arya, who is the main culprit and the victims Anmol Kumar and Malkit Singh. Two cheques for amount of Rs. 28,00,000/- disputed amount of money have been given by the said Rahul Arya. The petitioner had very insignificant role to play. The ingredients for subject offences have not been made out against him. Therefore, it is, urged that he deserves to be released on bail.

4. Status report has been filed by respondent-State. It is argued by learned Assistant Advocate General, Haryana, that there are serious and specific allegations against the petitioner. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. Therefore, it is, urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner along with the co-accused is alleged to have hatched a conspiracy in pursuance of which the complainant Anmol, his brother as well as another victim Malkit Singh are alleged to have been duped of huge amount of money on the pretext of being appointed in the railway department. The petitioner has been in custody 30.09.2024. Trial will take time to conclude. He does not have any criminal antecedents. Subject offences are triable by Magistrate. It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the period of incarceration of the petitioner, the nature of subject offences and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the



petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

4th July, 2025
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |