

2025:PHHC:110797



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.18152 of 2025
Date of Decision: 22.08.2025
Reserved on: 08.08.2025

Harjit Singh ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Anil Chawla, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

None for the complainant.

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
11	19.01.2025	Division-A, District Police Commissionerate Amritsar	420 of IPC

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of complaint submitted by the complainant Manjinder Singh alleging that he was acquainted with the petitioner who was working as a contractor at Civil Hospital, Amritsar. The petitioner induced the complainant to part

2025:PHHC:110797



with a sum of Rs.5,48,000/- on the pretext of getting his wife employed in the Civil Hospital by projecting that he knew the senior officers and could manage Government job for his wife. He had also procured the signatures of the wife of the complainant on a blank stamped paper and had also taken her original educational certificates. However, subsequently, he started putting off the matter on one pretext and the other. He did not return the educational certificates of the wife of the complainant nor she was provided any job. When the complainant asked him to give back the money taken from him, he rather started extending threats to the complainant and as such, the complainant prayed for taking action in the matter. After registration of FIR, investigation proceedings were initiated. The production of petitioner in this case was sought only by way of issuance of production warrants as he was in custody in some other case. He was formally arrested on 31.01.2025. Investigation now stands completed and challan has been presented against the petitioner.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Previously also complaint had been filed against him by the complainant. Thorough inquiry was conducted in the matter and the said complaint was filed. Subsequently, by exerting political pressure, the complainant got registered this FIR. Infact, it is the father of the complainant who had played fraud upon the petitioner and had taken a sum of Rs.14 lakhs from him on the pretext of sending him abroad. Even wife of the complainant had also taken a sum of Rs.4 lakhs on the pretext of

2025:PHHC:110797



ensuring allotment of a canteen at Sanghania hospital in favour of the petitioner. When the petitioner had insisted for return of amount of money as given by him, he was falsely implicated in this case. The trial will take considerable time as it is yet to be commenced. His further incarceration would not serve any useful purpose. His involvement in other cases cannot be considered to be a reason for denying benefit of bail. The subject offences are triable by Magistrate. With these broad submissions, it is urged that he deserves to be released on bail.

4. Status report has been filed. Learned Assistant Advocate General, Punjab has argued that there are serious allegations against the petitioner. He is a habitual offender since several other cases have been registered against him. There are chances of his absconding or intimidating the witnesses if extended benefit of bail. It is, therefore, urged that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have duped the complainant of a sum of Rs.5.48 lakhs by representing to him that he would secure a job at Civil Hospital, Amritsar in favour of his wife. He is in custody since 31.01.2025. Investigation now stands completed. The offence for which he has been booked is triable by Magistrate. His involvement in other cases cannot be considered to be a ground for denying bail to him. It is well settled proposition of law that trial during incarceration should not be a replica of post conviction sentencing. Given the nature of the allegations and taking

2025:PHHC:110797



into consideration the period spent by the petitioner in custody and other circumstances peculiar to the present case, this Court is of the opinion that no useful purpose would be served by keeping the petitioner in custody any more. As such, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned and further subject to the condition that he shall not leave the country without prior permission of the trial Court and he shall deposit his passport, if any, with the learned trial Court.

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

22.08.2025
manju

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No