



CRM-M-21665 of 2025

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

211

CRM-M-21665 of 2025
Date of Decision: 19.08.2025

Raju

....Petitioner

Versus

State of UT Chandigarh

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Vimal Kumar Gupta, Advocate and
Ms. Palkin Bhardwaj, Advocate for the petitioner.

Mr. Arav Gupta, APP, UT, Chandigarh.

RUPINDERJIT CHAHAL, J (ORAL)

1. The petitioner has filed the instant petition under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.137 dated 28.06.2024 registered under Sections 420, 506 and 120-B of IPC, at Police Station Sector-36, Chandigarh.

2. The FIR was lodged on the statement of Anil Sharma-complainant who had stated that the petitioner has cheated and blackmailed him for huge amount of money by misrepresenting and threatening him.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The petitioner is a motor mechanic. He is an illiterate person and has nothing to do with the offence in question. It was the complainant who used the mobile phone of the petitioner and transferred the money into his account and then transferred the same into the account of one Shivam Bedi who was the best friend of the complainant and later on, the complainant took back his money from the account of said Shivam Bedi. No recovery is to be effected from the petitioner. The investigation is complete and the challan stands presented. The petitioner is in custody since 15.02.2025. He

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further submits that the trial may take quite a long time and no useful purpose would be served by keeping him behind the bars. There are no chances of his absconding, therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has already filed the status report in the matter. He has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the allegations against the petitioner are serious in nature and he has played an active role in the offence in question.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it transpires that the petitioner is in custody for the last more than 6 months and the investigation has already been concluded. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the *prima facie* analysis of the nature of allegations, and the other factors peculiar to this case, the trial will take a long time to conclude. No useful purpose would be served by detaining him in further custody. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

7. The present petition is disposed off accordingly.

(RUPINDERJIT CHAHAL)
JUDGE

19.08.2025
D.Bansal

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