

CRM-M-23360-2025 (O & M)

2025:PHHC:091305



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(216)

CRM-M-23360-2025 (O & M)
Date of decision: 23.07.2025

Tarsem

..... Petitioner

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Himanshu Bansal, Advocate, for the petitioner.

Mr. T.P. Singh, Sr. DAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition under Section 483 BNSS, 2023 is for the grant of the regular bail to the petitioner in FIR No.242 dated 20.04.2021 under Sections 406, 420, 467, 468, 471, 506 and 120-B IPC registered at Police Station City Panipat, District Panipat.

2. The allegations against the petitioner and his co-accused are that they hatched a criminal conspiracy and cheated the complainant to the tune of Crores of rupees on the pretext of selling land by forged and fabricated documents.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The allegations levelled against the petitioner are completely baseless. He is in custody since 16.11.2022, but only 02 of the 48 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. Three co-accused of the petitioner, namely,



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Satnam, Bijender and Pawan have been granted the concession of bail. Therefore, the petitioner is entitled to the similar concession, moreso, when the case is triable by the Court of a Magistrate.

4. The learned counsel for the State, on the other hand, contends that the serious nature of the allegations levelled against the petitioner did not entitle him to the concession as prayed for. He, however, concedes that the petitioner is in custody since 16.11.2022, only 02 of the 48 prosecution witnesses have been examined so far, that the case is triable by the Court of a Magistrate and that three co-accused have been granted the concession of bail.

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

6. This Court in the case titled as ***Maninder Sharma Vs. State Tax Officer, State, Mobile Wing, Jalandhar, Punjab bearing CRM-M24033-2021(O&M) Decided on 31.08.2022*** has held as under:-

“Therefore, broadly speaking (subject to any statutory restrictions contained in Special Acts) , in economic offences involving the IPC or Special Acts or cases triable by Magistrates once the investigation is complete, final report/complaint filed and the triple test is satisfied then denial of bail must be the exception rather than the rule. However, this would not prevent the Court from granting bail even prior to the completion of investigation if the facts so warrant.”

7. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated during the course of the Trial. Admittedly, the petitioner is in custody since 16.11.2022 but only 02 of the 48 prosecution witnesses have been examined so far. Therefore, the Trial in



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the present case is not likely to be concluded anytime soon. The present case is, however, triable by the Court of a Magistrate and no serious apprehension has been expressed by the State that the petitioner would abscond from justice, tamper with the evidence or influence witnesses if granted the concession of bail. Therefore, in this situation, the further incarceration of the petitioner is not required, moreso, when three co-accused have been granted the similar relief.

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

9. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other case except the present one.

10. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.1,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from Trial without sufficient cause.

11. The present petition stands disposed of.

July 23, 2025
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No