

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

2025:PHHC:068046



(249)

CRM-M-26245-2025

Date of Decision: 20.05.2025

Joni Sharma @ Jony Sharma

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present:- Mr. Sanchit Punia, Advocate for the petitioner.

Mr. G.S. Chhina, AAG, Haryana.

MANJARI NEHRU KAUL.J (Oral)

1. The petitioner is seeking the concession of regular bail, filed under Section 483 BNSS, 2023, in case FIR No.439, dated 27.11.2024, under Sections 318(4), 336(3), 338, 238(b), 340 and 61 of BNS, 2023, registered at Police Station, Hisar Civil Lines, District Hisar.

2. Learned counsel for the petitioner submits that in a Magisterial trial the petitioner has been in custody since 30.01.2025; investigation stands completed as challan has already been presented qua the petitioner. Counsel submits that since the entire case of the prosecution hinges on documentary evidence, further incarceration of the petitioner, in the circumstances, would serve no useful purpose since charges are likely to be framed on the next date of hearing i.e. 21.05.2025 coupled with the fact that as many as 16 prosecution witnesses have been cited by the prosecution. In addition, counsel has submitted that totally false and twisted narrative has

been brought forth in the FIR in question annexed as Annexure P-1 that petitioner conspired with the co-accused to fabricate fake medical bills so that the co-accused were able to get medical reimbursement for the same.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions has not disputed the custody period of the petitioner nor has he disputed that challan stands presented against the petitioner. It has also not been disputed that the entire case of the prosecution is based on documentary evidence which is already part of the charge sheet, however, learned State counsel has reiterated the allegations levelled in the FIR in question that all the accused including the petitioner have conspired with each other to prepare fabricated medical documents and thereafter got medical reimbursement qua the same.

4. On a pointed query, learned State counsel has apprised the Court that petitioner is not involved in any other criminal case.

5. I have heard learned counsel for the parties and examined the material on record.

6. The petitioner has been in custody since 30.01.2025 in a Magisterial trial which would take considerable time to conclude coupled with the fact that as many as 16 prosecution witnesses have been cited by the prosecution.

7. In view of the facts enumerated herein above, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

(MANJARI NEHRU KAUL)
JUDGE

20.05.2025

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No