

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

2025:PHHC:168125



(219)

CRM-M-29082-2025

Date of Decision: 02.12.2025

Kapil Sharma @ Mohit Sharma @ Garry

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR. JUSTICE H.S. GREWAL.

Present:- Mr. S.S. Rana, Advocate for the petitioner.

Mr. K.D. Sachdeva, DAG, Punjab.

H.S. GREWAL.J (Oral)

1. This petition has been filed by the petitioner seeking regular bail under Section 483 of BNSS, 2023 in case FIR No.87 dated 13.08.2023, under Section 420 IPC and Section 13 of Punjab Travel Professional (Regulation) Act, 2014 (Sections 419, 201 IPC added later on), registered at Police Station Majitha Road, Amritsar.

2. Learned counsel for the petitioner submits that the case of the prosecution is that petitioner duped an amount of Rs.13,33,200/- at the pretext of sending complainant Jaswinder Singh to Canada on work visa. He submits that petitioner has already undergone custody period of more than 02 years and 03 months. He, therefore, prays for release of the petitioner on regular bail as the trial is likely to take a long time.

3. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He submits that petitioner is facing trial in various other matters of similar nature. As per the custody certificate, the petitioner is in custody for more than 02 years and 03 months as on 01.12.2025. It is further submitted that trial in this case has not yet commenced.

4. I have heard the learned counsel for the parties and perused the record.

5. In view of the aforesaid submissions of learned counsel for the parties and keeping in view the fact that the petitioner is in custody for more than last 02 years and 03 months in the present case. The trial is likely to take a long time, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial as his continuous detention would not serve the ends of justice.

6. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

7. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of his bail.

02.12.2025
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(H.S. GREWAL)
JUDGE

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