



CRM-M-29207 of 2025

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

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CRM-M-29207 of 2025
Date of Decision: 08.08.2025

Mayank Sharma

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Neeraj Yadav, Advocate (through VC)
for the petitioner.

Mr. Mohit Chaudhary, AAG, Haryana.

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.11 dated 17.03.2025 registered under Sections 318(4), 338, 336(3), 340(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Cyber Crime Police, District Kurukshetra.
2. The FIR was lodged on the statement of Rakesh Roshan-complainant who had stated that his PAN card and Aadhar Card has been misused by the petitioner for taking loan of Rs.15,00,000/-.
3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He was not named in the FIR and a false recovery has been shown from him. The loan has been disbursed by the bank in the name of complainant itself and no amount has been disbursed in favour of the petitioner. Neither the petitioner was

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involved in the alleged offence nor any money was transferred in his account. He was nominated as an accused on the basis of disclosure statement made by co-accused. Apart from the disclosure statement, there is no other evidence to connect the petitioner with the offence in question and it is a trite law that disclosure statement of the co-accused during his custodial interrogation is not admissible. The petitioner is in custody since 03.04.2025. He 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. Notice of motion.

5. Learned State counsel who has appeared on advance notice of the petition, filed the custody certificate of the petitioner and the same is taken on record. 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. He further submits that the petitioner is an habitual offender as he is involved in two more criminal cases of similar nature.

6. 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 04 months and the investigation has already been concluded. Further, 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.

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7. 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.

8. The present petition is disposed off accordingly.

(RUPINDERJIT CHAHAL)
JUDGE

08.08.2025*D.Bansal*

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