



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

CRM-M No.37107 of 2025 (O&M)

Reserved on: 15.10.2025

Date of Decision: 28.10.2025

Nempal

.....Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Argued By: Mr.Sandeep S. Majithia, Advocate for the petitioner.

Ms. Deepali Verma, AAG, Haryana.

SURYA PARTAP SINGH, J. (Oral):

For the commission of offence punishable under Sections 406 and 420 of IPC, the FIR No.290 dated 26.11.2024, has been lodged in Police Station Sanoli, District Panipat. The petitioner has been arrested in the above mentioned case as an accused. Since the petitioner is in custody, he has filed the present petition for the benefit of bail. This is second petition under Section 439 of Cr.P.C. for grant of bail.

2. Briefly stating the facts emerging from the record are that the FIR of this case came into being on a complaint submitted by Rajinder son of Sahi Ram, who had stated that his son namely 'Ankush' and brother 'Joginder' were confined in District Jail, Panipat on account of conviction in a criminal case. According to complainant, in the same jail Nempal (the petitioner) was also lodged who interacted with 'Ankush' and 'Joginder' and convinced them that he has linked with officers in High Court and he can manage their acquittal on



payment of Rs.60,00,000/-. According to complainant, convinced with the assurance given by the petitioner a sum of Rs.40,00,000/- was given to him but despite lapse of more than 1 year he could not secure their acquittal. According to complainant, when he asked for return of money, the petitioner refused to do so.

3. Heard.

4. It has been contended on behalf of petitioner that the petitioner is innocent and a false story has been cooked up by the petitioner just to extort money from the petitioner. According to learned counsel for the petitioner in the present case even the Investigating Agency has not acted in a fair manner, and during the course of remand by force a disclosure statement of petitioner has been recorded wherein it has been mentioned that the petitioner had confessed that he had received the money. The learned counsel for the petitioner has further contended that according to disclosure statement the money so received by Nempal was spent for payment of down-payment for tractor, purchasing motorcycle and cattles etc. With regard to above, it has been argued that above mentioned statement is factually wrong, and thus, the very credibility of the prosecution case stands impeached.

5. In addition to above, it has also been argued by the learned counsel for the petitioner that the petitioner is already in custody for a period of more than 9 months and that he has already suffered a lot of incarceration without any fault on his part. According to learned counsel for the petitioner the case is triable by a Court of Judicial Magistrate and the trial is not likely to be concluded in near future, and therefore, the petitioner should not be kept



behind the bar.

6. Per contra, the learned State counsel has argued that this is the second bail petition moved by the petitioner in the High Court and that from the date of dismissal of former bail petition, on 08.04.2025, no significant change in relevant circumstances has taken place, and therefore, the second petition for bail is not maintainable.

7. In addition to above, the learned State counsel has also argued that the petitioner is a habitual offender who is already facing prosecution in more than 11 cases, and that if released on bail there is every chance that the petitioner would influence the witnesses and tamper with the evidence.

8. While replying to the above mentioned arguments the learned counsel for the petitioner has argued that prosecution in other cases cannot be a ground for denial of bail to the petitioner. As per learned counsel for the petitioner the former petition for bail was not dismissed on merit, and therefore, the present petition is maintainable.

9. The record has been perused carefully.

10. A perusal of the record shows that the petitioner had moved petition for bail i.e. CRM-M-13215-2025. In the above mentioned bail petition, on 08.04.2025, following order was passed:-

“The jurisdiction of this Court has been invoked under Section 483 of BNSS for grant of regular bail in case FIR No.290 dated 26.11.2024 under Sections 406, 420 IPC registered at P.S Sanoli, Panipat, District Panipat. After arguing for some time, learned counsel prays for withdrawal of the petition. Prayer is



accepted. Dismissed as withdrawn.”

11. A perusal of above mentioned order shows that the former bail petition was withdrawn by the petitioner after addressing arguments. The above mentioned order reflects that the petition for bail was withdrawn when learned counsel for the petitioner sensed that the petitioner was not going to get relief in the above mentioned case.

12. In the present petition from the date of dismissal of former bail petition no significant change has taken place, which can make the petitioner eligible for the benefit of bail, and therefore, I hold that this second bail petition, is not maintainable and deserves dismissal. The same is hereby dismissed, accordingly.

(SURYA PARTAP SINGH)
JUDGE

28.10.2025
Manoj Bhutani

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