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

**CRM-M No.37688 of 2025
Date of Decision: 10.12.2025**

Sameer Khan

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Samay Singh Sandhawalia, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Deepak Kumar Bartia, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.96, dated 13.11.2024, under Sections 420, 467, 468, 471, 120-B of IPC, registered at Police Station Cyber Sonipat, District Sonipat.
2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Bunty, son of Rajender. It was alleged that the complainant had fallen victim to a cyber fraud and was duped for an amount of Rs.5,02,700/-. Thus, the request was made to take legal action against the accused. On the basis of the complaint, the FIR was registered. On registration of the FIR, the investigation commenced. During the investigation, complicity of the



petitioner surfaced and thus, he was arrayed as an accused in the present case. Resultantly, the petitioner was arrested on 14.12.2024. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Sonapat praying for the grant of bail. However after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Sonapat declined the bail application filed by the petitioner vide order dated 21.03.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has submitted that neither the petitioner is named in the FIR, nor any allegations have been made against him, however he has been arrayed as an accused in the present case, during the investigation, only on the basis of presumptions and assumptions. He has submitted that the petitioner is behind bars since the date of his arrest, i.e. 14.12.2024. To buttress his arguments, learned counsel for the petitioner has submitted that the complainant has already been examined and he has not supported the case of prosecution and thus, declared hostile. He has submitted that the petitioner was granted interim bail by this Court vide order dated 16.10.2025 and he is abiding by the terms and conditions of the same and has not committed any violation of the same.

4. Learned counsel for the complainant has affirmed the fact that the complainant has not supported the case of prosecution.

5. *Per contra*, learned counsel for the State has vehemently opposed the submissions made by learned counsel for the petitioner. He



has submitted that complicity of the petitioner surfaced during the investigation and enough material has been collected against him. He has affirmed the fact that the complainant has not supported the case of prosecution. He has further submitted that the whole testimony of hostile witnesses cannot be ignored and the one, which is consistent with the case can always be relied upon. He, on instructions, has submitted that out of total 05 prosecution witnesses, only 01 witness has been examined so far. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

6. The Court has heard learned counsel for the parties and perused the record with their able assistance.

7. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since the date of his arrest, i.e. 14.12.2024. The complainant has been examined and he has not supported the case of prosecution. Custody certificate produced would show that the petitioner has suffered incarceration of 10 months and 08 days as on 09.12.2025. It further reflects that the petitioner is not involved in any other case. Out of 05 prosecution witnesses, only 01 witness has been examined so far.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

9. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of

regular bail.

10. Accordingly, the interim bail granted by this Court vide order dated 16.10.2025 is made absolute. The petitioner is ordered to be released on bail during the pendency of main trial of the case. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

11. Present petition stands allowed.

10.12.2025			(RAJESH BHARDWAJ)
<i>rittu</i>	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No