



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

208

**CRM-M No.38458 of 2025
Date of decision : 25.7.2025**

Baljinder Singh @ Teja

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Armaan Dahiya, Advocate and
Mr. Manav Sharma, Advocate, for the petitioner

Mr. Gurmeet Singh, AAG, Haryana

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.20 dated 7.1.2025, under Sections 406, 420, 120-B of IPC and Section 24 of Immigration Act, registered at Police Station Karnal City, District Karnal.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'To the Hon'ble SP Sahib, Karnal

Subject: Application for taking appropriate legal action against 1. Ashok Bura son of Shri Ramkumar Bura Mobile No. 9416729979 or 7015912849 2. Ramkumar Bura son of Shri Dharm Singh Resident of Safidon District Jind Mobile No. 7404701605 3. Jasmer resident of village Sarasa District Kurukshetra Mobile No. 9996374038 4. Amit resident of Pehowa Mobile No. 9034254074 or 7015417471 9996271071 5. Balwinder Singh Teja son of Bilkha Singh Mobile No. 9354214573 or 8376871735 6. Sawan son of



Shri Baljinder Singh Teja all residents of House No. 71/21 First Floor Prem Nagar, Janakpuri West Delhi Mobile No. 8368144998 7. Sultan Singh Lamba resident Anaj Mandi Safidon District Jind Mobile No. 9416154466 8. Shubham alias Moni son of Shri Sultan Singh Lamba resident Anaj Mandi Safidon District Jind Mobile No. 992294181 in connivance with each other in the name of sending abroad in a planned manner committing forgery, fraud, trickery, deception, cheating, breach of trust or preparing fake documents. Sir, it is humbly requested that I am Sandeep son of Shri Isham Singh resident of village Balana, Tehsil Israna, District Panipat, currently resident of New Anaj Mandi, Karnal and I am a peace loving person and a law abiding person.

2. That the above accused have in collusion with each other and in a planned manner have fraudulently grabbed one crore thirty five thousand rupees in the name of sending my relatives abroad regarding which I had given a complaint against the accused in Police Station Sector-4, Karnal whose complaint registration number is 9265D dated 19.09.2024 a photocopy of the receipt of which is attached with this application but till date the police of Police Station Sector-4 has not taken any action against the accused. No action has been taken even though 70 days have passed since the above complaint was filed.

Therefore I request you to take the above facts into consideration and register a case against the accused persons as soon as possible and take appropriate legal action and recover and return the amount of Rs.1,00,35,000/- (one crore thirty five thousand) snatched from my relatives by the accused persons and get it back and provide justice to me and my relatives. I would be highly grateful to you. With thanks. Sd/- Sandeep.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 27.1.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question on account of a money dispute with the complainant-side. Learned counsel has further submitted that the petitioner is a man aged 61 years and does not keep very good health. Learned counsel has further submitted that



pursuant to the investigation having been completed, challan already presented on 26.3.2025 and no useful purpose will be served by further detention of the petitioner. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 24.7.2025 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 27.1.2025 whereinafter investigation was carried out and challan was presented in the case on 26.3.2025. Total 21 prosecution witnesses have been cited but none has been examined till date. It is, thus indubitable that conclusion of the trial will take its own time. It is not in dispute that the trial emanating from the FIR is magisterial one. The rival contention raised at Bar give rise to debatable issues which shall essentially be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 24.7.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of



about 5 months and 21 days. As per the said custody certificate, the petitioner is stated to be involved in one more FIR under Section 420 IPC etc. and 10 complaints under Section 138 of Negotiable Instruments Act, 1881. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586***; a Division Bench judgment of the Hon'ble Calcutta High Court in case of ***Sridhar Das v. State, 1998 (2) RCR (Criminal) 477*** & judgments of this Court in ***CRM-M No.38822-2022*** titled as ***Akhilesh Singh v. State of Haryana***, decided on 29.11.2021, and ***Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191***.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-



- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

25.7.2025
Ashwani

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