



CRM-M-39498 of 2025

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

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CRM-M-39498 of 2025

Date of Decision: 17.11.2025

Ravinder Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Sandeep Khunger, Advocate for the petitioner.

Mr. Ashwani Bhatia, AAG, Haryana.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.84 dated 19.04.2021 registered under Sections 409, 420 and 201 of IPC (Sections 120-B, 465, 467, 468 and 471 of IPC were added later on) (charges framed under Sections 420, 120-B, 409 and 201 of IPC), at Police Station City Nuh, District Nuh.

2. Brief facts of the present case as per prosecution are that the petitioner, who while working as Data Operator in the office of District Programme Officer, in connivance with other accused hatched conspiracy, and embezzled an amount of Rs.23 lakhs from Government funds.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He argued that in fact, the petitioner was merely a contractual employee in the office of District Programme Officer, Nuh and working as

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Data Operator. He further argues that the petitioner never signed any documents sent to the bank and he has already given his specimen signature and same may be compared with the alleged signature of the petitioner. He further argued that all the offences are triable by the Magistrate. The petitioner is in custody since 21.09.2024. Moreover, the petitioner has clean antecedents as he is not involved in any other case. Further, co-accused Pushpa and Virender Singh have already been granted the concession of regular bail by the Court of learned Sessions Judge, Nuh, vide orders dated 23.10.2024 and 04.02.2025, respectively, and co-accused Poonam has also been granted the concession of anticipatory bail by a Co-ordinate Bench of this Court, vide order dated 25.09.2024. The investigation in this case is complete, challan stands presented and charges have also been framed. He further submits that there are total 26 prosecution witnesses and out of which, 10 witnesses have been examined till date and as such, the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has already filed the status report in the matter and while referring to the same, has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. He further argues that the petitioner after hatching conspiracy with other co-accused, transferred an amount of Rs.12 lakhs in his own account, which itself shows the involvement of the petitioner in the offence. However, he has not controverted the fact that the petitioner has clean antecedents as he is not involved in any other case.



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5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner has been in custody for the last more than 01 year and 01 month; investigation is complete; challan stands presented; charges framed; out of 26 prosecution witnesses, only 10 have been examined, petitioner has clean antecedents; the complicity of the petitioner is a matter of trial, and the fact that trial may 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.

6. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

7. In view of the above, 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. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

(RUPINDERJIT CHAHAL)
JUDGE

17.11.2025

D.Bansal

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