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

CRM-M-43624-2024**Date of Decision:22.04.2025**

Rupinder Singh

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. G.S.Ghuman, Advocate with
Mr. Shivraj Daumajra, Advocate
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.908 dated 22.09.2021 registered under Sections 406, 420, 506, 120-B of IPC read with Section 24 of Immigration Act and under Sections 302/370 of IPC added later on, at Police Station Sadar Karnal, District Karnal.

2. Learned counsel for the petitioner contends that the petitioner was not named initially and had been nominated as an accused in the present case on the basis of the disclosure statement made by his co-accused, namely, Nirvair Singh and Jaspal. As per the case set up by the prosecution, the petitioner had arranged the tickets for sending the son of the complainant abroad and the petitioner had not conspired with Nirvair Singh, Palvinder Singh @ Pappu, Sonu, Sukhdev Singh and Prabhjot Kaur. He further contends that even a sum of Rs. 20,000/- was paid to him for preparing the tickets of the victim in the

present case and there was no evidence to suggest that the petitioner had conspired with other co-accused in the present case. Apart from that, the petitioner was arrested in the present case on 23.01.2022 and is in custody for the last more than 3 years and 3 months. Now, during the course of trial, the prosecution has examined only 9 witnesses, out of total 19 witnesses. He further contends that even the complainant and other material witnesses have been examined by the prosecution, consequently, the petitioner may not be in a position to tamper with the prosecution evidence. Apart from that, his case is clearly distinguishable from the case of other co-accused, who had hatched conspiracy to kill the son of the complainant.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. Apart from that, the petitioner was specifically named by Nirvair Singh and Jaspal as one of the accused, who had conspired with them and they all had collectively sent the son of the complainant to Greece by charging huge amount from his family.

4. I have heard the learned counsel for the parties and perused the record.

5. In the present case, very serious allegations have been levelled against the petitioner and his co-accused, but the petitioner is behind bars since last more than 3 years and 3 months. The prosecution has already examined all the material witnesses in the present case and only official witnesses remain to be examined by the trial Court. Thus, the petitioner may not be in a position to tamper with the prosecution evidence in the present case. Apart from that, the

prosecution has not been able to bring on record any material to indicate that the petitioner is in a position to flee from the process of justice.

6. Consequently, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

(i) *The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.*

(ii) *The petitioner shall remain present before the Court on the dates fixed for hearing of the case.*

(iii) *The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*

(iv) *The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*

(v) *The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*

(vi) *In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*

(vii) *The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*

(N.S.SHEKHAWAT)
JUDGE

22.04.2025
hemlata

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