



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

222

CRM-M-41854-2025 (O&M)

Date of Decision: 11.09.2025

Vipul

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. B.S.Beniwal, Advocate for the petitioner.

Mr. Mohit Chaudhary, 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.784 dated 26.11.2024 registered under Sections 34/406/420/506 of the Indian Penal Code (Section 467 and 468 added later on), at Police Station Sirsa City, District Sirsa.

2. Brief facts of the prosecution are that the FIR was lodged on the complaint of Manik Mehta, who alleged that between the period July, 2023 to October, 2023, the petitioner and co-accused Sanjay Sura had received Rs.51 lacs through him to arrange VISAs for different persons. Later, the VISAs provided by the accused were found to be fake at the airport and the victims demanded their money back. Under the pressure, the accused returned only Rs.27 lacs and later refused to pay the remaining amount of Rs.24 lacs.

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. There is no bank transaction between the complainant and the petitioner. Learned counsel argued that the said occurrence is of October, 2023 and the FIR in question was registered in November, 2024 i.e. after an unexplained delay of more than one year. The petitioner is behind bars since 24.03.2025. The investigation in the case is complete and final report under Section 193 BNSS has since been submitted. Further, co-accused Sandeep has already been granted the concession of anticipatory bail by this Court, vide order dated 03.09.2025 passed in CRM-M-28385-2025. He further submits that the trial will take a long time to conclude and no useful purpose would be served by keeping the petitioner behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Notice of motion.

5. Learned State counsel, who has appeared on advance notice of the petition, has filed the custody certificate of the petitioner, which is taken on record. He has vehemently opposed the prayer for bail by submitting that the offence committed by the petitioner is serious in nature. He has further submitted that the petitioner is also involved in multiple other cases meaning thereby he is an habitual offender.

6. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 5½ months; investigation is complete; challan stands presented, 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.

7. As regards the submission of learned State counsel that petitioner is involved in other/another case(s), reference is placed upon the judgment of the Hon'ble Supreme Court in **Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012 (2) SCC 382** in which, it is held that the facts and circumstances of the present case are to be seen while deciding a bail application and the bail application of the petitioner cannot be rejected solely on the ground that the petitioner is involved in other/another case(s). The relevant portion of the said judgment is reproduced herein-below:-

"As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."

8. In view of discussion made 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.

11.09.2025
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(RUPINDERJIT CHAHAL)
JUDGE

Whether Speaking / Reasoned	Yes / No
Whether Reportable	Yes / No

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