

**CRM-M-50351-2025 (O&M)****-1-****143+222 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-50351-2025 (O&M)****Date of decision: 06.11.2025****JAI KISHAN BHARDWAJ****...PETITIONER****VERSUS****STATE OF PUNJAB****...RESPONDENT****CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA**

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

Mr. Subhash Godara, Addl. AG, Punjab.

SUBHAS MEHLA, J. (ORAL)**CRM-44244-2025**

This application has been filed by the applicant/petitioner under Section 528 of BNSS for placing on record the copy of zimni orders dated 17.09.2025 and 17.10.2025 passed by the trial Court as Annexures P-5 and P-6.

For the reasons mentioned in the application, the same is allowed. Annexures P-5 and P-6 are taken on record, subject to all just exceptions.

Main case

1. By way of the present petition, the petitioner is seeking regular bail in FIR No.77 dated 19.06.2025 under Sections 318(4), 319(2), 336(3), 338, 340(2) 111 and 61(2) of BNS, 2023, registered at Police Station Division No.4 (Lahori Gate) Patiala, District Patiala.

2. Learned counsel for the petitioner submits that one FIR bearing No.145 dated 08.07.2025, under Sections 319(2), 318(4) of BNS and Sections 66, 66-C, 66-D of IT Act at Police Station Kotwali Patiala, District Patiala was registered against the petitioner. He remained in custody in that case and was granted bail

**CRM-M-50351-2025 (O&M)****-2-**

after 34 days. During that period, he was falsely implicated in the present case solely on the basis of disclosure statement of co-accused Renu Kant, and except that disclosure statement, there is no other evidence against him. He further submits that the petitioner is a resident of Rewari and is engaged in business at Gurugram. He has been in custody since 10.07.2025, i.e., for the last three months. The investigation in the case has already been completed and the challan stands presented. Learned counsel further submits that there is no connection between the petitioner and the co-accused, as there is no evidence in the form of call details, messages, or any other communication. Hence, he prays that the petitioner be released on bail.

3. On the other hand, learned State counsel has opposed the bail on the ground that the petitioner, along with his co-accused, is involved in a racket that provides fake sureties to secure the release of accused persons from the Court, wherein the petitioner sent persons to main accused for arranging fake sureties and received ₹5,000/-₹6,000/- per person. However, he fairly admitted that apart from the disclosure statement of the co-accused, no call detail records (CDRs) or messages have been collected during the investigation between present petitioner and co-accused.

4. Heard.

5. Keeping in view the facts and circumstances of the case, this Court finds that the allegations against the petitioner are based solely on the disclosure statement of the co-accused, and nothing has been recovered from his conscious possession. The petitioner was previously involved in one case bearing FIR No. 145 dated 08.07.2025, under Sections 318(4), 319(2) of BNS and Sections 66, 66(D), 66C of Information and Technology Act, registered at Police Station

**CRM-M-50351-2025 (O&M)****-3-**

having business in Gurugram as per learned counsel for the petitioner; the investigation of this case has been completed and challan stands presented in the Court; petitioner is in custody since 10.07.2025 i.e. more than four months; and no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as measure of punishment; and it is a trite principle of criminal jurisprudence that bail is a rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

6. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

7. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

06.11.2025
renubala

(SUBHAS MEHLA)
JUDGE

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