

2025:PHHC:172897



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH
245

CRM-M No.50694 of 2025
Date of decision: 10.12.2025

Pardeep Kumar alias Babbu ... Petitioner

Vs.
State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Sandeep Siwach, Advocate,
for the petitioner.

Ms. Himani Arora, DAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
256	03.08.2022	Bhuna, District Fatehabad	420, 467, 468, 471, 506 and 120-B of IPC

2. Brief facts relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of a complaint filed by the complainant Vikas alleging that the present petitioner along with accused Krishan, Gurmangat Singh and Satinder

2025:PHHC:172897



Kaur had allured him on the premise that they could get him appointed in some Government job. On their allurement, the complainant, his brother Dinesh, cousin brothers Vishnu and Sanjay as well as one Pradeep were made to part with a total sum of Rs.30,65,000/- which were given to the petitioner along with accused Krishan, Gurmangat Singh and Satinder Kaur. The accused and the petitioner in connivance with each other represented to the victims that their appointments were made and joining letters had been issued. They got prepared false and fabricated joining letters purported to be issued by Army authorities and handed over such letters to the victims who subsequently came to know that these letters had not been issued by Army authorities and were false and fabricated. On raising demand of their money, three cheques were issued by the accused persons, two of which were dishonoured.

3. The complainant further alleged that on 18.08.2021, the accused Gurmangat Singh called his elder brother Dinesh, his cousin brother Vishnu and himself to Hisar but on reaching there, they were got implicated in a false case registered under Section 365 read with Section 34 of IPC. They were taken into custody and were released on bail. By alleging that the above named accused had committed cheating and forgery with them, the complainant prayed for taking action.

4. After registration of FIR, investigation proceedings were initiated. The accused Krishan and Ritu were arrested. As per the

2025:PHHC:172897



disclosure statement of accused Ritu, she had hatched a conspiracy with the co-accused to entrap public persons by giving false assurance of giving job in the Army and to extract money from them. The petitioner and the co-accused had brought five youths to Delhi by inducing them to provide job. She along with the co-accused had prepared false joining letters purported to be issued by Army authorities and had extracted cash amount of Rs.30,65,000/- from those youths. The petitioner was arrested on 27.06.2025. He suffered a disclosure statement that in pursuance of a conspiracy hatched with brother, sister-in-law and the co-accused, they used to allure public persons to part with money on the premise of securing a job in Army in their favour. The investigation qua the petitioner stands concluded. Some of the accused are yet to be arrested.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since long. The subject offences are triable by Magistrate. No specific role has been attributed to him. He is not beneficiary of any transaction. Infact his brother had been abducted by the complainant and his family members. FIR had been registered against them and to exert pressure, the petitioner and his family members have been entangled in this case. The FIR has been lodged after a delay of more than 2-3 years. The investigation and trial would take considerable time. No purpose would be served by keeping him in custody any more. His involvement in other cases cannot

2025:PHHC:172897



be considered to be reason for denying benefit of bail to him. It is, therefore, argued that he deserves to be released on bail.

6. Status report and custody certificate have been filed. Learned Deputy Advocate General, Haryana has argued that keeping in view the gravity of the allegations as levelled against the petitioner and his criminal antecedents, he does not deserve to be given benefit of bail.

7. This Court has considered the rival submissions.

8. The petitioner is alleged to have played an active part in commission of offence of cheating public persons by hatching conspiracy with his brother i.e. co-accused Gurmangat who was the mastermind of a job fraud racket. As per the allegations, he was introduced as one of the key persons capable of securing employment in the Army through his alleged links. The allegations prima facie make out a case for commission of the aforementioned offences by the petitioner, however, he is in custody since 27.06.2025. The well settled proposition of law is that bail is the rule and jail is an exception. Pre trial incarceration of an accused should not be a replica of post conviction sentencing. The detention prior to trial should not become punitive. Personal liberty is a precious fundamental right and it should be curtailed only when it becomes imperative according to peculiar facts and circumstances of the case. The continued detention of the petitioner would be of no justifiability. Taking into consideration the above discussed facts, a case

2025:PHHC:172897



for release of the petitioner on bail is made out. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned and on 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/her from disclosing such facts to the Court or to any Police Officer.
- (ii) He shall not leave the country under any circumstance without permission of the learned trial Court.
- (iii) He shall appear before the learned trial Court as and when directed unless his presence is otherwise exempted.
- (iv) he shall provide his permanent address as well as present address before the learned trial Court at the time of furnishing of bonds and shall not change the same without informing the trial Court.
- (v) He shall also give copy of his Aadhar Card, PAN Card if any and details of his mobile phone number(s) to the learned trial Court at the time of furnishing of bonds and in case, any change in his mobile phone number takes place, then he shall inform about the same to the learned trial Court in

2025:PHHC:172897



advance and shall keep his mobile phone switch on all times.

(vi) He shall deposit his passport, if any, with the learned trial Court.

9. In the eventuality of breach of any of the aforementioned conditions, the respondent-State shall be at liberty to move an application seeking cancellation of the bail.

10. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

10.12.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No