

2025:PHHC:176398



CRM-M-55465-2025 (O&M) -1-

(243) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-55465-2025 (O&M)
Date of decision : 19.12.2025

RAMESH KUMAR

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA (ORAL)

Present: Mr. Jitender K. Sehrawat, Advocate for the petitioner

Ms. Himani Arora, DAG, Haryana

Mr. Manjit Singh Gahlwat, Advocate,
Mr. Yashpal Kumar, Advocate for the complainant

MANISHA BATRA, J. (ORAL)

1. The instant petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking grant of regular bail in case arising out of FIR No.165, dated 16.06.2024, registered under Sections 506, 420, 406 of Indian Penal Code, 1860, registered at Police Station Uchana, District Jind.
2. The aforementioned FIR was registered on the basis of a complaint submitted by complainant-Sombir alleging that the accused-Rahul, who is son of the present petitioner alongwith the petitioner and



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his other family members had induced him to part with a sum of Rs.2,30,000/- on the premise that they would get him appointed as Sub-Inspector in Haryana Police Department. After receipt of that amount, the petitioner in connivance with the co-accused got conducted a false written test for appointment to the aforementioned post and represented to him that he had been appointed as a Clerk with the Government. However, the petitioner subsequently, came to know that no such appointment had been made and he was cheated by the petitioner and other co-accused. On asking for return of money, the family members of the petitioner started extending threats to him and also threatened to involve him in some false cases. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 07.08.2025. Two co-accused have been extended benefit of pre-arrest bail. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody for a period of 04 months. He is not required for further investigation. The trial will take considerable time to conclude. Involvement in another case cannot be considered to be a reason for denying benefit of bail to him. His continued detention would not serve any useful purpose. Even otherwise a compromise has been arrived at between the petitioner and the complainant. The subject offences are triable by Magistrate. With these broad submissions, it is urged that the petition deserves to be allowed.



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4. Per contra, learned State counsel has argued that there are serious allegations against the petitioner which prima facie point out his involvement in commission of offences of cheating and forgery. There are chances of petitioner's committing similar offences or absconding or intimidating the witnesses, if extended benefit of bail. It is, hence, stressed that the petition does not deserve to be allowed.

5. Learned counsel for the complainant has however, affirmed that a compromise has been arrived at between the parties and he has no objection if the petition is allowed.

6. This Court has heard rival submissions made by learned counsel for both the parties.

7. The petitioner alongwith the co-accused is alleged to have duped the complainant of a sum of Rs.2,30,000/-. He is in custody since 07.08.2025. Trial will obviously take time to conclude. No witnesses have been examined so far. Though no consideration can be given to the fact that any compromise having been arrived at between the petitioner and the complainant at this stage, however, taking into consideration the fact that no useful purpose would be served by detaining the petitioner in custody anymore and that pre-trial incarceration should not be a replica of post-conviction sentencing, this Court is of the considered opinion that the petitioner has made out a case for release of bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the



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learned trial Court/Chief Judicial Magistrate/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 or tamper with the evidence of the case in any manner whatsoever.
- (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.
- (iv) He shall provide his address where he would be residing after release and shall not change the same without informing the concerned IO/SHO and Trial Court.
- (v) The petitioner shall upon his release give his mobile phone number to concerned IO/SHO and shall keep his mobile phone switched on all times.

8. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent to seek redressal by filing an application seeking cancellation of bail.

9. 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.

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10. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

**(MANISHA BATRA)
JUDGE**

19.12.2025	Whether speaking/reasoned:-	Yes/No
Amit Sharma	Whether reportable:-	Yes/No