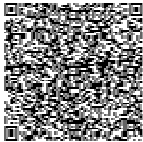


CRM-M-58994-2025

2025:PHHC:151766



232
IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-58994-2025
Date of decision: November 04, 2025

Deepak Bansal
.....Petitioner
Versus
State of Punjab
...Respondent

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Sanjeev Sharma, Advocate for the petitioner.
Mr. Gaurav Gurcharan Singh Rai, Senior DAG Punjab.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) for grant of regular bail to
the petitioner in case bearing FIR No.75 dated 14.06.2023, registered for the
offences punishable under Sections 406 & 420 of the Indian Penal Code, 1860
(for short ‘IPC’), at Police Station Civil Lines, Patiala, District Patiala.

2. The gravamen of the allegations against the petitioner is that
complainant, namely, Pankaj Garg, alleged that co-accused, namely, Harbans
Lal, Deepak Bansal (petitioner herein), and Harish Kumar, commission agents
operating as M/s Harbans Lal Ransh Kumar, lured him into paying ₹40 lakhs
on the pretext of arranging a work permit for Canada. Despite receiving the full
amount, the accused neither arranged the permit nor returned the money. A
post-dated cheque issued by them was later dishonoured, revealing that they
had cheated him in a planned conspiracy.

CRM-M-58994-2025

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 23.09.2024. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has iterated that alleged offence is stated to have taken place in the year 2015 whereas the FIR in question was got registered in the year 2023. Learned counsel has argued that prime allegations are against father of the petitioner and the petitioner has been roped into the FIR in question so as to exert pressure for a favourable settlement in favour of the complainant-side. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that allegations raised against the petitioner are serious in nature and thus, the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record the custody certificate dated 03.11.2025 in the Court today, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 23.09.2024 whereinafter investigation was carried out and challan has been presented on 18.11.2024. Total 19 prosecution witnesses have been cited, and it is the common ground of learned rival counsels that none has been examined till date. Indubitably, the conclusion of trial will take its own time. The rival contention raised at Bar give rise to debatable issues, which shall essentially be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, *lest* it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner

CRM-M-58994-2025

absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per custody certificate dated 03.11.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 01 year, 01 month & 07 days, & is not shown to be involved in any other FIR(s).

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

CRM-M-58994-2025

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.
11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

November 04, 2025
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No