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

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CRM-M-62413 of 2025
Date of Decision: 03.12.2025

Gurmeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

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

Mr. Amritpal Singh Gill, DAG, Punjab.

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.09 dated 23.01.2024 registered under Sections 420 and 120-B of IPC, at Police Station Lehra, District Sangrur.

2. Brief facts of the present case are that the petitioner along with co-accused had cheated the complainant for a sum of Rs.6,16,900/- by alluring him, in order to multiply invested money, but never returned the same. Hence, the present FIR.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further contends that the petitioner was neither involved in the crime nor has any concern with the alleged offence and as such, the petitioner is not the beneficiary in any manner. He further argues that there is no incriminating material on record



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to connect the petitioner with the alleged offence. He further submits that if the contents of the FIR are taken to be true, even then the dispute in the present case is of civil nature, which has been given criminal colour by registering the present FIR. He further submits that thereafter, the petitioner was arrested on 01.10.2025 and since then he is in judicial custody and nothing is to be recovered from him. He further submits that similarly placed co-accused Sukhwinder Singh and Jagsir Singh have already been granted bail on the concession of regular bail by the trial Court, vide orders dated 01.04.2025 and 25.08.2025, respectively. The investigation in the case is complete and challan stands presented. He further submits that the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has filed the status report in the matter and while referring to the same, he has vehemently opposed the prayer for bail by submitting that the offence committed by the petitioner is serious in nature. He argued that the petitioner along with two other co-accused were jointly running the firm namely FBCL Lehragaga and they cheated and allured innocent people to invest money on the pretext that it will be multiplied. Thus, the petitioner was actively involved in the crime. He further submits that the petitioner is involved in multiple other cases meaning thereby he is a habitual offender.

5. 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 02 months; investigation is complete; challan stands



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presented; similarly placed co-accused have been granted bail by the trial Court; the complicity of the petitioner is a matter of trial, and the trial is likely to take a long time to conclude. No useful purpose would be served by keeping the petitioner in further custody. His continued 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.

6. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

7. As regards the submission of learned State counsel that petitioner is involved in other/one more criminal 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



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other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."

8. In view of the 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.

03.12.2025*D.Bansal***(RUPINDERJIT CHAHAL)
JUDGE**

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