



CRM-M-65168-2025

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

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CRM-M-65168-2025 (O & M)
Date of decision: 26.11.2025

SHAM SINGH ALIAS SATNAM SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Kamal Narula, Advocate,
for the petitioner.

Mr. Jasjit Singh, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 of BNSS, 2023 is for grant of regular bail to the petitioner in case FIR No.45 dated 05.06.2025, registered under Sections 420 and 406 IPC and Section 13 of the Punjab Travel Profession Regulation Act, 2014, at Police Station Talwandi Chaudhrian, Kapurthala.

2. Learned counsel contends that the petitioner has been in custody for about 3 months. There is a delay of 2 years in lodging the FIR. He is an agriculturist and has no business of immigration, thus, alleges false implication. As a matter of fact, he had a money transaction with one Akashdeep, cousin of the complainant, who in order to discharge the said liability had even issued a cheque though in the name of his wife,

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Manjeet Rani@ Manjit Rani, who is co-accused in the present case and has been granted bail, after being in custody of about 2 months and 14 days, which got dishonoured and she filed a complaint under Section 138 NI Act, Annexure P-2. It is only to discharge the debt, the amount in bits and pieces was transferred to the account of the petitioner. Had it been for sending his son abroad, the same would have been paid in one go. It is a case of magisterial trial. Challan was presented on 11.11.2025, charges have not been framed yet and there are, in all, 12 PWs. He is not involved in any other case.

3. The custody certificate dated 25.11.2025, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 2 months and 26 days.

4. Learned State counsel opposes the bail on the ground that there are specific allegations levelled by the complainant against the petitioner with respect to sending his abroad. However, he is unable to controvert the submissions with regard to stage of the case, the petitioner being not involved in any other case and the co-accused having been released on bail.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 2 months and 26 days; not involved in any other case; co-accused is on bail; all the offences are triable by the Magistrate; challan stands presented on 11.11.2025; charge are yet to be framed and there are total of 12 PWs; the

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trial is likely to take a considerable time and further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

7. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten 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 or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

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8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

26.11.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

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