

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

2026:PHHC:056737



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CRM-M-5327-2026

Date of decision: 16.04.2026

Date of uploading: 16.04.2026

Rahul

....Petitioner

V/s

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Mohan Singh Rana, Advocate, for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

SUMEET GOEL, 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. 270 dated 04.06.2024 registered under Sections 323, 406, 394, 506/34 of IPC, at Police Station Badshahpur, District Gurugram.

2. The case set up in the FIR in question (as set out by the petitioner in the present petition) is as follows:-

“To the SHO, Badshahpur Police Station, I, Sagar Sharma, son of Shri Deepak Sharma, aged 24 years, originally a resident of Kalin Valukedars College Staff Quarters, Lucknow, currently residing at Pyramid Urban Homes 3, Tower-6, Flat-403, Sector 67, Gurgaon, respectfully submit the following: Today, on June 2, 2024, at approximately 1:40 PM, I was standing at Subhash Chowk waiting for transportation to return home from my friend's house. A black Mahindra XUV stopped when I hailed it, and I got in. There were two other men in the car besides the driver. On the way, when they asked for payment, I

asked for their Paytm number. They gave me their number, and I proceeded with the payment process. They then took my phone under the pretext of checking my Paytm number and transferred ₹11,000 from my account instead of ₹40. This happened because while I was processing the payment, the boy sitting next to me saw my four-digit code. When he returned my phone, I saw that ₹11,000 had been deducted from my account. When I confronted them about why they had cleverly transferred ₹11,000 instead of ₹40, they stopped the car and told me not to talk nonsense and that my apartment had arrived, and I should get out. When I refused to get out, the three men attacked me, causing me injuries, and one of them even bit my ear. During this struggle, my phone (REALME 35) fell somewhere in their car, and my bag containing my Aadhaar card, PAN card, two debit cards, and my company laptop (LENOVO) was also left behind in their car in the commotion. Fearing for my life, I managed to get out of the car, and as they drove away, they threatened to kill me. I tried to see the car's number plate, but there was no number on the vehicle. The three boys were approximately 22 to 25 years old, and I can identify them if I see them again. Legal action should be taken against these three boys, and my money and belongings should be returned to me. Applicant: Sagar Sharma, 8400923333, 9807421611”

3. Learned counsel appearing for the petitioner has argued that the petitioner is in custody since 22.07.2024. Learned counsel has further submitted that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that a somewhat similarly placed co-accused has been granted concession of regular bail by the concerned Sessions Court. He has further submitted that the petitioner has suffered incarceration for about 1 year & 9 months. Thus, regular bail is prayed for.

4. Learned State counsel while raising submissions in tandem with the reply dated 30.03.2026 has opposed the grant of bail to the petitioner by arguing that the allegations raised are serious in nature and,

thus, the petitioner does not deserve the concession of regular bail. He has submitted that the petitioner is involved in multiple other FIRs and, hence, dismissal of the petition in hand is entreated for.

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

6. The petitioner was arrested on 22.07.2024 and is in continuous custody since then. Challan, upon culmination of investigation, was presented on 19.10.2024. Total 24 prosecution have been cited and it is the conceded position before this Court out of which only six have been examined till date. It is not in dispute that the conclusion of trial will take long time. At this juncture, it would be apposite to refer herein to the *dicta* passed by the Hon'ble Supreme Court ***Javed Gulam Nabi Shaikh vs. State of Maharashtra and another, 2024(3) RCR (Criminal) 494***, relevant whereof reads thus:

“18. Criminals are not born out but made. The human potential in everyone is good and so, never write off any criminal as beyond redemption. This humanist fundamental is often missed when dealing with delinquents, juvenile and adult. Indeed, every saint has a past and every sinner a future. When a crime is committed, a variety of factors is responsible for making the offender commit the crime. Those factors may be social and economic, may be, the result of value erosion or parental neglect; may be, because of the stress of circumstances, or the manifestation of temptations in a milieu of affluence contrasted with indigence or other privations.

19. If the State or any prosecuting agency including the court concerned has no wherewithal to provide or protect the fundamental right of an accused to have a speedy trial as enshrined under [Article 21](#) of the Constitution then the State or any other prosecuting agency should not oppose the plea for bail

on the ground that the crime committed is serious. [Article 21](#) of the Constitution applies irrespective of the nature of the crime.”

The rival contentions of the learned counsel for the parties; as to the whether the petitioner has been falsely implicated into the FIR, shall be gone into 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 rights of either of the parties. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the remaining prosecution evidence.

7. It is not in dispute that the petitioner is in continuous custody qua the FIR in question since 22.07.2024.

Suffice to say, the further detention of the petitioner in custody is not required in the facts and circumstances of the case.

8. In view of above, the petition in hand is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned 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 cell phone 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/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

9. 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.

10. Ordered accordingly.

11. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

12. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

April 16, 2026
Naveen

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