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

CRM-M-8939-2025

Date of Decision: 23.04.2026

Rahul Kumar

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. A.S.Khosa, Advocate, for the petitioner.

Mr.K.D.Sachdeva, DAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.50 dated 15.03.2023, registered under Sections 408, 120-B IPC, at Police Station City Fazilka, District Fazilka.

2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of Baljeet Singh, Manager of Bharat Financial Inclusion Limited (Indusind Bank Abohar) presently posted at Dhobi Ghat Mohalla, Fazilka. It was alleged that their company is involved in granting loans to poor and needy ladies for their self employment and for that purpose 7/8 officials are appointed by the company as Sangam Managers to collect loan installments from the beneficiaries. It was alleged that while being so entrusted with job of collecting loan installments, the petitioner, namely, Rahul Kumar collected an amount of Rs.2,22,248/- from the beneficiaries in the name of repayment of loan installments but has failed to deposit the said amount with the employer. It was further alleged that after finding such criminal breach of trust on the part of the petitioner and his associates, he was dismissed from the service on 30.08.2022 and he was persuaded to deposit the collected amount but, he has not deposited any amount with the company out of said Rs.2,22,248/-. Thus, request was made



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to take legal action against the accused person. On the registration of the FIR, the investigation commenced and the petitioner was arrested on 11.12.2024. He approached the Court of learned Additional Sessions Judge, Fazilka praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 16.01.2025. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that as per the allegations against the petitioner, the petitioner was to collect installment amount from various beneficiaries and had allegedly embezzled an amount of Rs.2,22,248/-. He contends that the petitioner is behind the bars since 11.12.2024. He further contends that the investigation is complete and charges have been framed, however, there is no material progress in the trial. To buttress his arguments, he submits that the petitioner has no criminal antecedents as he has never been involved in any other case. He, thus, submits that in the overall facts and circumstances of the case, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has opposed the submissions made by learned counsel for the petitioner. He has submitted that complicity of the petitioner was duly established during the investigation. He submits that Rs.2,22,248/- on account of installments collected from the innocent persons, had been embezzled by the petitioner. On instructions, he submits that out of total 20 prosecution witnesses, none has been examined till date.



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He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner was arrested on 11.12.2024 on the allegations of embezzlement of Rs.2,22,248/- collected for depositing with the firm he was working with. Custody certificate of the petitioner shows that the petitioner has suffered incarceration of 01 year, 04 months & 11 days as on 22.04.2026. It further shows that the petitioner has no criminal antecedents. Out of 20 prosecution witnesses, no witness been examined.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

23.04.2026

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Whether Speaking/Reasoned :
Whether Reportable :

(RAJESH BHARDWAJ)
JUDGE

Yes/No
Yes/No