

2026.PHHC.078135



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-12881-2026

Manjeet Singh

...Petitioner

Versus

State of Haryana

...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	15.05.2026
2	The date when the judgment is pronounced	20.05.2026
3	The date when the judgment is uploaded on the website	20.05.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Gagandeep Kaur, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

MANISHA BATRA, J :-

Prayer in this second petition is made for grant of regular bail in case arising out of FIR No. 15 dated 08.05.2024 registered under Sections 420, 467, 471 and 120-B of IPC and (Sections 406 and 201 of IPC and Sections 66-D and 66-C of Information Technology Act, added later on) at Police Station Cyber Crimes Rewari, District Rewari. His previous petition bearing CRM-M- No. 13525 of 2025 had been dismissed by this court vide order dated 15.05.2025 by making the following observations:-

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“The petitioner by hatching a conspiracy with the co-accused is alleged to have opened bank account in the name of a firm by using fake documents and the said account is alleged to have been given by him to the co-accused and the same was used for the purpose of committing online fraud by duping the complainant and transferring money belonging to him in the said account and further transfer of the same to the different bank accounts. The amount as deposited in the bank account operated by the petitioner might be small amount. However, the entire transaction shows active complicity of the petitioner in the subject crime. Crimes of this nature are on the rise and have become a growing menace in today's digital age. Cyber criminals are using sophisticated methods to target public persons and institutions. A stringent approach for deterring offender is required. The gamut of above discussed circumstances does not call for grant of benefit of bail to the petitioner. Accordingly, the petition does not deserve to be allowed and is dismissed.”

2. It is argued by learned counsel for the petitioner that he has been in custody for a period of about 01 year and 08 months. The trial is progressing at a snail's pace as only 06 prosecution witnesses have been examined so far. The subject offences are triable by Magistrate. His further incarceration would not serve any useful purpose. Each day spent by him in custody has furnished a fresh ground for him to be released on bail. It is, therefore argued that he deserves to be released on bail.

3. *Per contra*, learned State counsel has argued that the previous petition as filed by the petitioner had been dismissed by passing a detailed order. The instant one being successive and second petition is not

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maintainable. There is no drastic change in the circumstances. The allegations against the petitioner are quite serious. There are chances of his absconding or committing similar offences, if extended benefit of bail. It is, therefore, argued that the petition deserves to be allowed.

4. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

5. The petitioner has undergone a period of about 01 year and 08 months in custody. The trial is still likely to take time as only 06 out of 12 prosecution witnesses have been examined so far. This factor, in the opinion of this Court, is a ground to move for bail afresh. The Hon'ble Apex Court has observed in a catena of cases that an accused cannot be kept in custody for an indefinite period of time, and the bail application can be considered on its own merits even if it is filed repeatedly. It has also been held that every day spent in custody can provide a new cause of action for filing a bail application under certain circumstances. This principle is a part of the broader approach emphasizing that law prefers bail over jail, aiming to balance the right of the accused with the requirements of the criminal justice system. Prolonged detention itself is a ground for reconsideration of bail since settled proposition of law is that detention prior to trial should not become punitive. It is also well settled proposition of law that prolonged incarceration generally militates against the most precious fundamental right guaranteed under Article 21 of the Constitution and in such cases, when there is delay in conclusion of trial without there being any fault on the part of the accused, he becomes

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entitled to be released on bail. Since the trial of this case, apparently and evidently is shown to have been delayed, as such, this Court is of the considered opinion that no fruitful purpose would be served by detaining the petitioner in custody. In view of the discussion made above, this Court is of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore and he has made out a case for his release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned.

- 6. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
- 7. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

20th May, 2026
Parveen Sharma

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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |