



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

Sr.No.235

**CRM-M-12657-2026
Decided on : 30.04.2026**

Shayal

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Sandeep Singh Jattan, Advocate
Ms. Sundeep Kaur, Advocate
Ms. Varsha Chaudhary, Advocate
for the petitioner.

Ms. Shaveta Sanghi, DAG, Haryana.

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.145 dated 14.05.2025, registered under Sections 420, 466, 468, 471, 120-B IPC, at Police Station Sector 17, Jagadhri, District Yamuna Nagar.

2. Brief facts as per the prosecution case are that the petitioner had forged death certificate of his brother Narender and submitted the same before the Court in an FIR in which said Narender was an accused. However, said Narender was still alive. Hence the present FIR.

3. Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present case. He further



contends that the allegations levelled against the petitioner are false and he has no concern with the said offence. Learned counsel contends that there is no direct evidence to connect the petitioner with the said offence. He further contends that the prosecution case is solely based upon WhatsApp chats, the authenticity of which shall be decided upon conclusion of trial. It has been contended that the petitioner is not the beneficiary of the alleged Act. No recovery is to be effected from him. The petitioner is in custody since 10.11.2025 and he has clean antecedents. The investigation in this case is complete, challan stands presented and charges have been framed. Learned counsel further submits that out of 13 prosecution witnesses, none has been examined till date. He further submits that trial will take a long time to conclude and no useful purpose would be served by keeping the petitioner behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has filed the custody certificate which is taken on record. The status report has already been filed. She has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. However, she could not controvert the fact that the petitioner is the first time offender as he is not involved in any other case.

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 05 months and 19 days; he has clean antecedents; the investigation in this case is complete; challan stands presented; charges have been framed; out of 13 prosecution witnesses, none has been examined till date and the fact that trial may take a long time to conclude, no useful



purpose would be served by detaining 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. 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.

8. All miscellaneous application(s), if any, stands disposed of accordingly.

30.04.2026

mamta

**(RUPINDERJIT CHAHAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No