



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

Sr.No.225

**CRM-M-15261-2026
Decided on : 20.04.2026**

Daren Khan

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Sayyam Garg, Advocate
for the petitioner.

Ms. Shaveta Sanghi, DAG, Haryana

Mr. Gaurav Nagar, Advocate
for the complainant through VC.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Code of Criminal Procedure is for grant of regular bail to the petitioner in case FIR No.0028 dated 04.02.2025, registered under Sections 318(4) of BNS, 2023 [61(2) of BNS, 2023 added lateron] at Police station Cyber Crime Central, District Faridabad.

2. Brief facts as per the prosecution case are that the petitioner along with co-accused had committed cyber fraud and duped the complainant for an amount of Rs.11.56 lacs. Hence, the present FIR.

3. Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present FIR. 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 the petitioner is not named in the FIR as FIR was registered against unknown persons. He submits that the matter has been compromised between the parties. The petitioner is in custody since 04.09.2025 and he has clean antecedents. Nothing is to be recovered from the petitioner. The investigation in this case is complete; challan stands presented; charges have been framed and out of 12 prosecution witnesses, none has been examined till date. Thus, no useful purpose will be served by keeping the petitioner behind bars. Therefore, learned counsel prays that the present petition be allowed.

4. On the other hand, learned State counsel has filed the custody certificate which is taken on record. He has vehemently opposed the petition for grant of regular bail to the petitioner by submitting that the offence committed by the petitioner is serious in nature. He submits that he is not aware of any compromise effected between the parties. However, he has not controverted the fact that the petitioner is not involved in any other case.

5. Learned counsel for the complainant has appeared today through VC and filed his power of attorney through e-mail, which is taken on record. He does not dispute the factum of compromise and submits that he has no objection if the present petition is allowed and the petitioner is enlarged on bail.

6. 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 07 months and 15 days; the matter has been compromised between the parties; the investigation in this case is complete;



challan stands presented; charges have been framed; out of 12 prosecution witnesses, none has been examined till date and the fact that the trial is proceeding at snail’s pace. Thus, further custody of the petitioner will not serve any useful purpose. His further 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.

7. 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”.

8. Without commenting on the merits of the case and keeping in view the aforesaid facts and circumstances, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

9. All other pending applications, if any, are also disposed of accordingly.

20.04.2026
mamta

(RUPINDERJIT CHAHAL)
JUDGE

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