



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

**Sr.No.220**

**CRM-M-17786-2026  
Decided on : 22.05.2026**

Mohsin Hussain

..... Petitioner

Versus

State of Haryana

..... Respondent

**CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL**

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Present : Mr. Anshul Khurana, Advocate  
for the petitioner.

Mr. Mohit Chaudhary, AAG, Haryana  
for the respondent-State.

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**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.101, dated 13.02.2019, registered under Sections 420, 467, 468, 471, 120-B IPC and Section 3 of the Haryana Protection of Interest of Depositors in Financial Establishment Act, 2013, at Police Station Gharaunda, District Karnal.

2. Brief facts as per the prosecution case are that the petitioner allured many people to invest their amount in his company and get doubled the amount thereby cheated them for the sum of rupees two to three crores.

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 him are false and he has no concern with the said offence. Learned counsel contends that earlier, the petitioner was granted bail by the learned trial Court vide order dated 05.05.2020 (Annexure P-2), however, on 13.04.2023, he did not appear before the trial Court, therefore, his bail was cancelled and his non-bailable warrants of arrest were issued and finally, he was declared proclaimed offender vide order dated 30.09.2023 (Annexure P-4). Learned counsel contends that vide order dated 21.11.2025, passed by a Coordinate Bench of this Court in CRM-M-65621-2025, the petitioner surrendered before the learned trial Court on 19.12.2025 and since then he is in custody. The investigation in this case is complete; challan stands presented; charges have been framed and out of 236 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 status report as well as custody certificate which are taken on record. He has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. He has further submitted that the petitioner is also involved in multiple other cases of similar nature meaning thereby he is a habitual offender.

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 since 19.12.2025; the investigation in this case is complete; challan stands



presented; charges have been framed; out of 236 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. As regards the submission of learned State counsel that petitioner is involved in other/one more criminal case(s), reference is placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012 (2) SCC 382*** in which, it is held that the facts and circumstances of the present case are to be seen while deciding a bail application and the bail application of the petitioner cannot be rejected solely on the ground that the petitioner is involved in other/another case(s). The relevant portion of the said judgment is reproduced herein-below:-

*"As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."*



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8.            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.

**22.05.2026**  
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**(RUPINDERJIT CHAHAL )**  
**JUDGE**

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