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

**CRM-M No.23016 of 2025
Date of Decision: 19.01.2026**

Rahul**.....Petitioner****versus****State of Haryana****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Kuldeep Singh Siwach, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Present third petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.173, dated 08.05.2024, under Sections 379, 420 of IPC (Sections 411, 120-B, 201, 34 IPC added later on), registered at Police Station Pundri, District Kaithal.

2. Succinctly the facts of the case are that FIR in the present case got registered on the statement of complainant, namely, Bhim Singh, son of Kabaj Singh. It was alleged that the complainant had an account in PNB Bank, Kaithal Ambala Road. The complainant went to withdraw the money from HDFC Bank, ATM located in Brahmand Chowk, Pundri and when he was withdrawing his amount, he found 02 persons standing behind him. They, on pretext of helping the complainant in withdrawing



the money and then the complainant withdrew an amount of Rs.24,000/- and left the ATM. While the complainant was returning home, he started getting the messages from the Bank that the money has been withdrawn from his account. On receiving the same, the complainant got scared and he reported the same to PNB Bank. It was alleged that the complainant would identify both the persons, who committed mischief while the complainant was withdrawing the amount from the ATM. Thus the request was made to take legal action against the accused. On registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner surfaced and thus, he has arrayed as an accused in the present case. Resultantly, the petitioner was arrested on 13.07.2024. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Kaithal praying for the grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Kaithal, dismissed the bail application filed by the petitioner vide order dated 07.04.2025. Being aggrieved, the petitioner earlier approached this Court twice by way of filing CRM-M-58410-2024 and CRM-M-4449-2025, however the same were dismissed vide orders dated 27.11.2024 and 30.01.2025, respectively. Hence being aggrieved, the petitioner is again before this Court by way of filing the present third petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He has



submitted that the petitioner is a young boy of 22 years, who has no criminal antecedents. He has submitted that the petitioner along with his father has been roped in the present case. He has submitted that the petitioner has suffered an incarceration of more than 1½ years, however, there is no progress in the trial. He has submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned State counsel has opposed the submissions made by learned counsel for the petitioner. He has submitted that during the investigation, CCTV footage of the ATM was verified and complicity of the petitioner and co-accused, who is none other than his father, was established. He has submitted that the petitioner by cloning the ATM had illegally withdrawn the amount of Rs.3,74,997/- from the account of the complainant. He, on instructions, has submitted that out of total 15 prosecution witnesses, only 02 witnesses have been examined so far. He has produced custody certificate of the petitioner today in the Court which is taken on record.

5. Heard.

6. On hearing counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 13.07.2024. Custody certificate produced would show that the petitioner has suffered incarceration of 01 year, 06 months and 02 days as on 16.01.2026. It further reflects that the petitioner is not involved in any other case. Out of 15 prosecution witnesses, only 02 witnesses have been examined so far.

7. The veracity of the allegations and counter 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.

8. This Court would refrain itself from commenting anything on the merits of the case. 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.

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

19.01.2026

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

(RAJESH BHARDWAJ)
JUDGE