

2026:PHHC:071574



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-21471-2026(O&M)

Date of decision: 7th May, 2026

Manvendra @ Manav @ Bablu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Anoop Verma, Advocate for the petitioner.
Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

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Allowed as prayed for.

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The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 155 dated 07.07.2025 registered under Section 406 of IPC (Sections 420, 506 and 34 of IPC added later on) at Police Station Sector 14, Gurugram, District Gurugram, Haryana.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by the complainant Shankar Lal, alleging therein that he intended to purchase a used car and came into contact with the petitioner, who sent him photographs of several used cars through WhatsApp, representing that those cars were available for sale. He had transferred an amount of Rs.

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4,24,716/- to him through different transactions for purchase of the car but the petitioner neither gave him any car nor returned his money and rather on asking for his money, he started extending threats to him. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 07.01.2026. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The dispute between the parties is of civil nature. The alleged transactions had taken place in the year 2023 and the FIR was registered after a gap of two years. This delay has not been explained by the complainant. He has been in custody since 07.01.2026. He is not required for further investigation. The trial will take considerable time to conclude. He is suffering from several ailments. He has clean antecedents. No useful purpose would be served by detaining him in custody anymore. It is, therefore, argued that the petition deserves to be allowed.

4. Notice of motion.

5. Learned State counsel has advance notice of the petition and is ready to argue the matter. He has placed on record the custody certificate of the petitioner and has argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed.

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

7. The petitioner is alleged to have cheated the complainant by duping him of a sum of Rs. 4,24,716/- on the pretext of selling a car to him.

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He has been in custody since 07.01.2026. The trial will take considerable time to conclude. The subject offences are triable by Magistrate. It is well settled proposition of law that pre-trial incarceration should not be a replica of post-conviction sentence and that bail is the rule and jail is an exception. The object of jail is to secure the appearance of the accused during the trial and it can neither be punitive nor preventive and the deprivation of liberty has been considered as a punishment. 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.

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

[MANISHA BATRA]
JUDGE

7th May, 2026
Parveen Sharma

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No