



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

**CRM-M-24792-2026
Date of decision: 26.05.2026**

SACHIN @ KOBRA

...PETITIONER

V/S

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Sanchit Punia, Advocate for the petitioner.

Mr. R.K. Ambavta, DAG, Haryana.

SUBHAS MEHLA, J. (ORAL)

1. This is the second petition filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'the BNSS') seeking regular bail in case bearing FIR No.15 dated 29.04.2025, under Sections 318(4) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'the BNS') registered at Police Station Cyber Police Station, Mahendergarh, District Mahendergarh.

2. In the present case, allegations qua the petitioner are that he along with co-accused formed a gang to commit cyber crime and hatched a criminal conspiracy for commission thereof. Further, bank account bearing No.924010039902737 of AXIS Bank and bank account bearing No.15211000005664 of Punjab and Sindh Bank were used through co-accused in order to commit crime.



3. Learned counsel for the petitioner prayed for grant of regular bail to the petitioner on the following grounds:

- i. The petitioner has not been named in the present FIR and has been nominated in the present case only on the basis of disclosure statement made by co-accused, namely, Parshant, which is inadmissible in evidence;
- ii. Co-accused, namely, Parshant and Sachin son of Deshraj have already been granted the concession of regular bail vide order dated 22.07.2025 (Annexures P-2) passed by learned Additional Sessions Judge, Narnaul, and order dated 31.07.2025 (Annexure P-3) passed by learned Judicial Magistrate 1st Class, Narnaul respectively;
- iii. Nothing is to be recovered from the petitioner as investigation has already been completed and final report under Section 193 of the BNSS has already been filed and the trial is at the stage of prosecution evidence; and
- iv. Petitioner is in custody since 23.09.2025 i.e. for the last 08 months.

4. Learned State counsel produced the custody certificate dated 21.05.2026 and the same is taken on record. He opposed the prayer of the petitioner on the following grounds:

- i. Petitioner has actively participated in the commission of crime; and
- ii. Petitioner is not having clean and clear antecedents, as he is also involved in other cases.



5. Heard.

6. Keeping in view the facts and circumstances of the present case, this Court finds merit in the present petition for grant of concession of regular bail to the petitioner on the following grounds:

- i. The petitioner has not been named in the present FIR and has been nominated in the present case only on the basis of disclosure statement made by co-accused, namely, Parshant, which is inadmissible in evidence;
- ii. Co-accused, namely, Parshant and Sachin son of Deshraj have already been granted the concession of regular bail vide order dated 22.07.2025 (Annexures P-2) passed by learned Additional Sessions Judge, Narnaul, and order dated 31.07.2025 (Annexure P-3) passed by learned Judicial Magistrate 1st Class, Narnaul respectively;
- iii. Investigation of the present case is complete and final report under Section 193 of the BNSS has already been filed and the trial is at the stage of prosecution evidence;
- iv. Petitioner is in custody since 23.09.2025 i.e. for the last 07 months and 29 days; and
- v. Trial will take sufficient time to conclude. No fruitful purpose would be served by keeping the petitioner in custody for any further period.

7. Concession of bail cannot be denied just as a measure of punishment as culpability of accused is to be decided after appreciating evidence adduced by both the parties. It is a trite principle of criminal



jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. It is further directed that if the petitioner, after his release on bail, will be found indulged in similar activities, the prosecution would be at liberty to file appropriate application before the trial Court seeking cancellation of his bail and the trial Court shall decide the same in accordance with law.

May 26, 2026
Manisha

(SUBHAS MEHLA)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No