

2026:PHHC:071808



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

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CRM M-24827 of 2026

Date of Decision: 07.05.2026

Mukesh Sharma

...Petitioner (s)

Vs.

State of Punjab

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Sandeep Gahlawat, Advocate
for the petitioner.

Mr. Charanpreet Singh, AAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of BNSS, 2023, (earlier Section 439 of the Cr.P.C.) for grant of regular bail to the petitioner in case F.I.R. No. 006, dated 08.07.2025, under Sections 318 (2), 316 (2), 61 of BNS (earlier Sections 417, 406 & 120 B of the IPC) (Annexure P-1), registered at Police Station Cyber Crime, District Fatehgarh Sahib.

2. Learned counsel for the petitioner contends that the allegations levelled by the complainant in the present case are highly improbable and unbelievable. Even, during the course of investigation, the petitioner was arrested on 28.08.2025 by the police without any incriminating evidence against him. It was found that the money was deposited in the account of Shri Ram Water Plant and upon checking from the concerned bank, it was found that the IDs belonging to the petitioner were used to open this account. The petitioner is neither owner

of the said company nor he had opened any bank account. It appears that the name and address of the petitioner had been misused by some other person to open this account. It also showed that the bank officials were also in connivance with the other accused to open the account on the basis of a fake ID without any proper verification. Learned counsel further submits that the petitioner is a POP labourer by profession and is a daily wager. Even, he is a semi-literate and police also did not find any evidence against the present petitioner. He further contends that even the complainant had failed to explain as to how such a huge amount was deposited by him in the account of a stranger. Learned counsel further submits that the petitioner is in custody for the last about 8 months and *challan* has been presented against him. The prosecution has relied upon 16 witnesses, but, no witness has been examined so far.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is involved in a serious crime and one more FIR No. 13 dated 07.02.2025 under Sections 316(2), 318(4), 319(2) and 61(2) BNS, P.S. Cyber Crime, Patiala has been registered against the petitioner. The petitioner may even abscond from the process of law and the present petition deserves to be dismissed by this Court.

4. I have heard the learned counsel for the party and perused the record very carefully.

5. No doubt, the petitioner is involved in a serious crime, but the petitioner cannot be confined in jail for an indefinite period as an under-trial prisoner. Even though, the trial is yet to formally start against

the petitioner and all the offences in the present case are triable by the Court of Magistrates Moreover, the entire prosecution case is based on documentary evidence and the petitioner may not be in a position to influence the witnesses of the prosecution.

6. In view of the above, without commenting any further on the merits, 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 subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner gets involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously and the prosecution shall be at liberty

to move an appropriate application for cancellation of bail granted to the present petitioner.

(vii) The concerned Court may insist two solvent sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

07.05.2026		(N.S.SHEKHAWAT)
amit rana		JUDGE
Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No