

CRM-M-27400-2026

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

CRM-M-27400-2026

Date of Decision: 19.05.2026

Raj Kumar

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

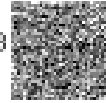
Present: Mr. Aditya Sanghi, Advocate, for the petitioner.

Mr. Sunny Namdev, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.87 dated 15.03.2024, registered under Sections 420/467/468/471/120-B IPC, at Police Station Civil Lines Sirsa, District Sirsa.

2. Succinctly, the facts of the case are that the FIR in the present case was lodged on the complaint of Ankush, in which he alleged that he is in acquaintance since long with Harsh who told him that his friend Jaibir Nagar used to provide government employment in Railway Department and he can secure a job for him there. On meeting Jaibir Nagar, he asked the complainant and his father for Rs.6-7 lacs for securing job to the complainant in Railway Department and on his asking, the complainant paid Rs.6,50,000/- to Jaibir Nagar. After some time, when Jaibir Nagar failed to secure a job for the complainant, he along with his father and Harsh visited his house where Jaibir Nagar and his brother Raj Kumar (the petitioner) met them and got furious and threatened them not to visit their house again, otherwise they will make them face consequences. Later on, the complainant came to know that Jaibir Nagar and Raj Kumar had duped

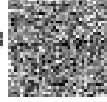


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many persons in the name of securing government jobs for them. Thus, after having found himself defrauded, the request was made to take legal action against the accused persons. On registration of the FIR, the investigation commenced and the petitioner was arrested on 31.03.2024 and the investigating agencies collected various evidences and on completion of the investigation, the challan was presented. The learned trial Court, on framing of the charges, commenced with the trial. The petitioner ultimately filed his 7th petition before the learned Additional Sessions Judge, Sirsa praying for grant of bail. However, after hearing both the sides, the learned trial Court declined the same vide order dated 16.09.2025. On earlier occasions, the petitioner approached this Court four times for grant of regular bail but all the petitions bearing CRM-M-21031-2024, CRM-M-35950-2024, CRM-M-51386-2024 and CRM-M-55431-2025 were dismissed vide orders dated 04.07.2024, 12.09.2024, 25.02.2025 and 09.10.2025, respectively. Hence, aggrieved by the said order, the petitioner approached this Court for grant of regular bail by way of filing the present fifth petition.

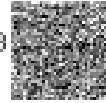
3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He contends that the allegations against the petitioner of taking money from the complainant, are without any basis. To buttress his arguments, he submits that complainant -Ankush and other material witnesses i.e. Atul, Dharam Singh and Karam Singh were examined before the trial Court as PW1, PW-3 to PW-5, respectively, and they have not supported the case of the prosecution. He contends that the petitioner has no criminal antecedents as he has never been involved in any other case. He



further contends that the petitioner is behind the bars from the date of his arrest i.e. 31.03.2024, however, the prosecution has not able to examine its half of the witnesses, and thus, right of the petitioner of speedy trial has been miserably failed. He, thus, has submitted that in the overall facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned State counsel has vehemently controverted the submissions made by counsel for the petitioner. He submits that the petitioner was specifically named in the FIR and a total amount of Rs.6,50,000/- has been duped by the petitioner alongwith the co-accused. He submits that there is evidence on record to show the bank transaction regarding the payment of said amount in his account. He further contends that there are serious allegations against the petitioner. He submits that though the above-said witnesses have not supported the case of the prosecution, however, testimony of a hostile witness cannot be discarded altogether and part of the testimony which is consistent with the prosecution case, can still be relied upon. On instructions, he has submitted that out of total 19 prosecution witnesses, 05 witnesses have been examined so far. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner in the present case was arrested on 31.03.2024. Complainant -Ankush and other material witnesses i.e. Atul, Dharam Singh and Karam Singh were examined before the trial Court as PW1, PW-3 to PW-5, respectively, and they have not supported the case of the prosecution. As per custody certificate of the petitioner, he has already suffered incarceration of 02 years, 01 month & 14 days as on 18.05.2026. It



further shows that the petitioner has no criminal antecedent. Out of total 19 prosecution witnesses, 05 witnesses have been examined.

6. Speedy trial is the right of every accused. The Hon'ble Supreme Court in Ashim @ Asim Kumar Haranath Bhattacharya @ Asim Harinath Bhattacharya @ Aseem Kumar Bhattacharya Vs. National Investigation Agency, 2022(1) SCC 695 has held as under:

“Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21 of the Constitution of India. While deprivation of personal liberty for some period may not be avoidable, period of deprivation pending trial/appeal cannot be unduly long. At the same time, timely delivery of justice is part of human rights and denial of speedy justice is a threat to public confidence in the administration of justice.”

7. The Hon'ble Supreme Court in a recent decision dated 03.07.2024 in Javed Gulam Nabi Shaikh Vs. State of Maharashtra, Criminal Appeal No. 2787 of 2024, has held that howsoever serious a crime may be, an accused has the right to speedy trial under the Constitution of India.

8. The veracity of the 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. 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.
10. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

		(RAJESH BHARDWAJ)
		JUDGE
19.05.2026	Whether Speaking/Reasoned	: Yes/No
sharmila	Whether Reportable	: Yes/No