

2026.PHHC:084585



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

229

**CRM-M No.29165 of 2026
Date of decision: 26.05.2026**

Ajaypal Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Karambir Singh Kahlon, Advocate,
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The instant one is the second petition as filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") seeking regular bail in case arising out of FIR No.05 dated 23.01.2025 registered under Sections 204, 205, 319, 318(4), 336(3), 340(2), 337, 338, 339 and 61(1) of the Bharatiya Nyaya Sanhita, 2023 (For short "BNS") at Police Special Division E, District Police Commissionerate Amritsar. The previous petition as filed by him, had been dismissed as withdrawn.

2026.PHHC:084585



2. The aforementioned FIR was registered on the basis of a statement recorded by the complainant Amandeep Singh alleging therein that the petitioner who was residing in his neighbourhood in a rented accommodation, had got acquainted with his son Chanpreet Singh and used to represent to him that he was a Special Officer posted in CBI. The petitioner allured the son of the complainant on the premise that he would get him selected in Punjab Police and also told him that his own brother Amritpal Singh and several other youths were got recruited by him in the Punjab Police Department. On being induced by the petitioner, the complainant had parted with a sum of Rs.6 lakhs for the purpose of securing a job for his son in Punjab Police. His son appeared in written examination for recruitment in Punjab Police but failed and then the petitioner by representing that he could get him appointed to higher post of ASI subject to his completing graduation examination, he made the complainant to part with more money and in this manner, a total sum of Rs.10 lakhs had been extracted by the petitioner. By alleging that he had been deceived at the hands of the petitioner and wrongful loss of money had been caused to him, he prayed for taking action in the matter. After registration of FIR, investigation proceedings were initiated. The petitioner was apprehended and is in custody since 24.01.2025. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has

2026.PHHC:084585



been falsely implicated in this case. Infact, the petitioner had been playing online games on Zupee App. Son of the complainant had also been giving him money to invest in the said game. By transferring the same in his bank account, his son was also indulged deeply into online games. Both of them suffered loss in those games. A false story had been concocted by the complainant to implicate the petitioner. He is in custody for a period of about 01 year and 04 months. The subject offences are triable by Magistrate. The trial will take considerable time to conclude. Only 02 out of 31 prosecution witnesses have been examined so far. The co-accused has been extended benefit of bail. His antecedents are clean. No useful purpose would be served by detaining him in custody. After withdrawal of his previous petition, there has not been any progress in the trial. Each day spent by him in custody has furnished a new ground to him to seek concession of bail. It is, therefore, argued that the petition deserves to be allowed.

4. Notice of motion.

5. Mr. Roshandeep Singh, AAG, Punjab has advance notice of the petition and is ready to argue the matter. While placing on record the custody certificate of the petitioner, it is submitted by him that taking into consideration the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail. It is also submitted that the petition is not maintainable being successive one.

2026.PHHC:084585



6. This Court has considered the rival submissions.

7. So far as the question of maintainability of the petition is concerned, it may be mentioned that an accused has a right to make successive applications for grant of bail, and it is the duty of the Court, while entertaining such a subsequent bail application, to consider the reasons and grounds on which the earlier bail petition was rejected. The fresh grounds which persuade the Court to take a view different from the one taken in the earlier application are also required to be recorded. Reference in this regard can be made to ***Prasad Shrikant Purohit v. State of Maharashtra (2018) 11 SCC 458***, wherein it was so observed. The petitioner is alleged to have duped the complainant of a sum of Rs.10 lakhs on the pretext of getting his son recruited in Police Department of Punjab. The petitioner has placed on record copies of some statement of account showing that money had been deposited on Zupee App which is an online gaming platform. According to the petitioner, the son of the complainant had been investing money through him in this platform and had been sending him. The transactions are numerous in number. It is only on thorough assessment of the evidence to be produced during trial that any conclusion as to the fact that the money had been invested by the son of the complainant through some online gaming platform or the petitioner had duped the complainant of that money can be drawn. The offences allegedly committed by the petitioner are triable by Magistrate.

2026.PHHC:084585



He is in custody since 24.01.2025. Further incarceration of the petitioner will not serve the ends of justice. The well settled proposition of law is that bail is the rule and jail is an exception. Pre trial incarceration of an accused should not be a replica of post conviction sentencing. The detention prior to trial should not become punitive. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

26.05.2026
manju

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No