

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

2026.PHHC:085629



CRM-M-29869-2026 (O&M)

Date of Decision: 29.05.2026

MOHIT KUMAR @ MOHIT GUPTA

... PETITIONER

VERSUS

STATE OF PUNJAB & ANOTHER

... RESPONDENTS

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. V.S.Kathpal, Advocate for the petitioner.
(through video conferencing)

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (439 Cr.P.C.) in FIR No. 96 dated 26.04.2025 under section 420, 406, IPC and section 13 (1) of Punjab Prevention of Human Smuggling Act, 2012 registered at Police Station Sadar Fazilka District Fazilka.

2. Briefly, the facts of the case are that the present FIR was registered on the basis of the statement of the complainant that petitioner had accepted a sum of Rs. 20 Lakhs on the pretext of sending the son of the complainant abroad.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is submitted that the matter has been amicably settled between the parties. He further submits that the petitioner is in custody for the last 03 months and 21 days. He, thus, prays for grant of bail to the petitioner.

4. Notice of motion.

5. Mr. Sandeep Kumar, D.A.G., Punjab accepts notice on behalf of the State and has vehemently opposed the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State counsel has filed the custody certificate in Court, which is taken on record. He further submits that as per the custody certificate, the petitioner is in custody for the last 03 months and 21 days and is not involved in any other case.

6. Mr. Prince Srangal, Advocate has filed power of attorney on behalf of respondent No.2 and has admitted the factum of compromise between the parties. He submits that the complainant/respondent No.2 has no objection if the bail is granted to the petitioner.

6. I have heard the learned counsel for the parties and perused the record.

7. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that the matter has been amicably settled between the parties; the petitioner is in custody for the last 03 months and 21 days, he is not involved in any other case, the conclusion of trial is likely to take some time and continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial.

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 bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

10. It is clarified that while on bail so granted through the instant order the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of his bail.

11. Pending miscellaneous application(s), if any, shall also stand disposed of.

29.05.2026

Janki

(H.S.GREWAL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No