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

CRM-M No.31265 of 2025

Date of Decision: 03.02.2026

Taj Mohammad

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Gopal Singh Nahel, Advocate
for the petitioner.

Mr. K.D. Sachdeva, D.A.G., Punjab.

RAJESH BHARDWAJ, J.

1. Petitioner has approached this Court by way of present petition praying for granting him regular bail in case FIR No.50 dated 01.04.2025 under Sections 318(4) of BNS, registered at Police Station City Dhuri, District Sangrur.

2. Succinctly, facts of the case are that the FIR was registered on the statement of the complainant, namely, Gagandeep Singh. It was alleged that Constable Taj Mohammad (petitioner herein) duped the complainant for an amount of Rs. 1,97,000/- on the pretext of getting him a job. It was alleged that earlier also the complainant had moved a complaint and during inquiry, the matter was compromised to the extent that Taj Mohammad would pay Rs.1,00,000/- till 05.08.2024 and Rs. 97,000/- till 05.09.2024 but till date he did not return the amount despite repeated requests made by the complainant. On the basis of the above



said complaint, an FIR under Section 318(4) of BNS was also registered against Constable Taj Mohammad. The complainant was duped by none other but by a Public Servant i.e. a Constable in Punjab Police. Thus, request was made to take legal action against the accused. On registration of the FIR, the investigation commenced. During the investigation, the petitioner was arrested on 04.04.2025. The petitioner approached the Court of learned Additional Sessions Judge, Fast Track, Special Court, Sangrur praying for grant of regular bail. However, after hearing both the sides, the learned trial Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 09.05.2025. Hence, the petitioner approached this Court praying for grant of bail.

3. This Court vide order dated 15.10.2025, had granted interim bail to the petitioner on the ground that he is ready repay the amount of Rs.1,97,000/- to the complainant.

4. It has been vehemently contended by counsel for the petitioner that petitioner has been falsely and frivolously implicated in the present case. He submits that petitioner is an innocent person with no criminal record. He submits that no offence as alleged in the FIR is made out against the petitioner. He submits that no recovery is to be made from the petitioner. He has fairly submitted that the petitioner was granted interim bail by this Court vide order dated 15.10.2025 on the undertaking given by him that he is ready to settle the matter, however, due to financial constraints, petitioner failed to comply with the same. He further submitted that the petitioner is still ready to compensate the



complainant and comply with the abovesaid order. He thus, submits that in the overall facts and circumstances of the present case, the petitioner deserves to be granted bail.

5. *Per contra*, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner. He has produced the custody certificate of the petitioner. It is submitted that during investigation, the complicity of the petitioner was duly established in the present case as he committed a fraud of Rs.1,97,000/-. He further submits that the petitioner is none other than a service police official in the Punjab Police. He submits that the offence as committed by the petitioner is grave and serious in nature. He further submits that the petitioner has misused the concession of interim bail granted to him by this Court vide order dated 15.10.2025, as he failed to repay the above said amount to the complainant. He has thus submitted that no case for the grant of regular bail to the petitioner is made out and the present petition deserves to be dismissed.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the complicity of the petitioner was duly established during the investigation as he committed cheating on the complainant and duped an amount of Rs.1,97,000/- on the pretext of getting him a job. It transpires that vide order dated 15.10.2025, learned counsel for the petitioner submitted that he would make every effort to repay the amount to the complainant and on account of the same, he was granted interim bail. However, till date he has not paid any amount to the



complainant and thus, has misused the concession of interim bail already granted to him. Learned counsel for the petitioner failed to convince the Court regarding the failure of the undertaking as given before this Court.

7. Keeping in view the above said position, this Court does not find any ground to release the petitioner on bail, at this stage, as he has misused the concession of interim bail granted to him, thus, order dated 15.10.2025 passed by this Court, is hereby recalled and the petitioner is directed to surrender before the Jail authorities, concerned forthwith. However, the State is directed to take the petitioner in custody forthwith and proceed in accordance with law.

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

03.02.2026

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

(RAJESH BHARDWAJ)
JUDGE