213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31632-2026
Date of Decision: 02.07.2026

HARPARTAP SINGH **...Petitioner**

Vs.

STATE OF HARYANA **...Respondent**

CORAM:- HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present: Mr. Nikhil Batta, Advocate for the petitioner. (Through VC)
Mr. Tanuj Sharma, AAG, Haryana.

VIRINDER AGGARWAL, J. *(Oral)*

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 439 of the Code of Criminal Procedure, 1973) seeking the concession of regular bail during the pendency of trial in FIR No. 692 dated 28.09.2022 (Annexure P-1), registered under Sections 201, 370, 406, 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860 (corresponding to Sections 238, 143, 316(2), 318(4), 338, 336(3), 340(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023), along with Section 24 of the Emigration Act, 1983, at Police Station Sector 32-33, Karnal, Haryana, in the interest of justice.

2. The present FIR was registered on the statement of complainant Virender Singh, who alleged that co-accused Raj Kumar Baisoya and Vineet Kumar induced him to send certain persons abroad on the pretext of arranging visas for Mexico, collected substantial amounts of money from him from time to time, and ultimately sent the alleged victims abroad on fake visas. It was further alleged that after receiving approximately ₹85,00,000/- from the complainant and others, the accused failed to fulfil their promise and, upon

demand for refund, threatened the complainant with dire consequences. On the basis of these allegations, the present FIR came to be registered.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is contended that the petitioner is neither named in the FIR nor any specific role has been attributed to him in the initial version of the complainant. The entire allegation primarily revolves around co-accused Raj Kumar Baisoya and Vineet Kumar, who are stated to have induced the complainant and received money from him. The petitioner's implication is stated to be subsequent and based solely on the disclosure statements of co-accused, which by themselves have no substantive evidentiary value in law except to the limited extent permissible.

3.1 It is further submitted that no recovery has been effected from the petitioner and there is no independent documentary or oral evidence collected during investigation to show his active participation in the alleged transaction or conspiracy. It is also contended that even the alleged transfer of a small amount of Rs. 50,000/- from the account of Sachin Lamra, if any, is not sufficient to connect the petitioner with the alleged large-scale fraud of ₹85,00,000/-, particularly in the absence of any material showing meeting of minds or participation in the alleged conspiracy.

3.2 Learned counsel further submits that the complainant, during investigation, had made a supplementary statement implicating the petitioner; however, while deposing before the learned Trial Court, the complainant did not support the said version and neither named the petitioner nor assigned any role to him, thereby creating material contradictions in the prosecution case.

3.3 It is also argued that none of the alleged victims has directly attributed any role to the petitioner, and the prosecution story, even if taken at its face value, primarily concerns co-accused persons. The investigation stands concluded and challan has been presented, yet no incriminating material has surfaced against the petitioner. The petitioner has been in custody since 18.03.2026, is not involved in any other case, has never been declared a proclaimed offender, and there is no likelihood of his absconding or tampering with evidence. Accordingly, it is prayed that the petitioner be enlarged on regular bail during the pendency of trial.

4. Notice of motion.

5. Mr. Tanuj Sharma, learned Assistant Advocate General, Haryana, has put in appearance on behalf of the respondent-State and opposed the grant of regular bail to the petitioner stating that he is involved in a serious case of cheating, criminal conspiracy and forgery wherein a large number of innocent persons were allegedly induced to part with substantial amounts of money on the false promise of sending them abroad. He further submits that the petitioner was allegedly part of the chain of persons involved in facilitating the fraudulent transactions, and his role cannot be viewed in isolation from the main accused and petitioner’s bank account was found to have received money linked to the proceeds of the alleged fraud, which prima facie indicates his involvement in the offence.

6. Be that as it may, considering the custody period already undergone by the petitioner, i.e. 03 months and 14 days as on date, and the fact that the investigation stands completed, the challan has been presented before the learned Trial Court, and charges have already been framed, while

none of the prosecution witnesses have yet been examined, it is evident that the trial is likely to take considerable time to reach its logical conclusion. Continued detention of the petitioner at this stage, therefore, would serve no useful purpose.

7. Reliance is placed upon the judgment of the Hon'ble Apex Court in *Dataram Singh v. State of Uttar Pradesh & Another*, 2018 (2) R.C.R. (Criminal) 131, wherein it has been held that grant of bail is the rule and refusal thereof is an exception, and that a person is presumed to be innocent until proven guilty. It is further submitted that the right to speedy trial forms an integral part of the right to life and personal liberty guaranteed under Article 21 of the Constitution of India, and the same has been consistently recognised by the Hon'ble Supreme Court, including in *Balwinder Singh v. State of Punjab & Another* (SLO (Crl.) No. 8523/2024). In the present case, the trial is likely to consume considerable time before reaching its logical conclusion. In these circumstances, continued incarceration of the petitioner would serve no useful purpose, particularly when the trial can be effectively safeguarded by imposing appropriate conditions.

8. Accordingly, the present petition is allowed, and the petitioner is ordered to be admitted on regular bail, subject to furnishing requisite bail and surety bonds to the satisfaction of the learned Chief Judicial Magistrate concerned/Illaqa Magistrate/Duty Magistrate, as the case may be, and further subject to the following conditions:-

1. The petitioner shall not, directly or indirectly, make any inducement, threat, or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from

disclosing such facts before the Court or to the investigating agency.

2. The petitioner shall not tamper with the prosecution evidence in any manner whatsoever, nor shall attempt, directly or indirectly, to influence, intimidate, or contact any prosecution witness.

3. The petitioner shall not leave the territorial limits of India without obtaining the prior permission of the learned Trial Court. In the event he is in possession of a passport, he shall furnish its particulars before the Investigating Officer as well as the learned Trial Court.

4. The learned Illaqa Magistrate/Duty Magistrate, before accepting the bail and surety bonds, shall obtain from the petitioner his permanent residential address as well as present correspondence address, duly supported by appropriate documentary proof. The Investigating Officer shall verify the correctness of the said addresses within 48 hours from the acceptance of the bail bonds and shall place a verification report on the record. In the event either of the addresses is found to be false, fictitious, or incorrect, it shall be open to the prosecution to seek cancellation of the concession of bail in accordance with law.

5. The petitioner shall furnish before the learned Trial Court, either at the time of furnishing the bail bonds or within such period as may be specified by the Court, Permanent Account Number (PAN), Aadhaar Number, particulars of all operative bank accounts, and a declaration disclosing details of immovable properties, if any. Any concealment of material particulars or furnishing of false information

shall constitute a valid ground for seeking cancellation of bail in accordance with law.

6. The petitioner shall intimate the Investigating Officer as well as the learned Trial Court, in writing, of any change in residential address or mobile number within seven days from the date of such change.

7. The petitioner shall not commit any offence of a similar nature during the pendency of the trial and shall remain present before the learned Trial Court on each and every date fixed, unless his personal appearance is exempted in accordance with law. He shall not absent herself from the proceedings without obtaining prior permission of the learned Trial Court. In the event of any violation of the aforesaid conditions or her unauthorized absence from the trial proceedings, it shall be open to the learned Trial Court to proceed in accordance with law, including cancellation of the concession of regular bail and issuance of appropriate coercive process, including warrants of arrest.

(VIRINDER AGGARWAL)
JUDGE

02.07.2026
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No