2026:PHHC:013257

IN THE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH

206 **CRM-M-37435-2025**
Date of Decision: 29.01.2026

SANDEEP KUMAR @ SANDEEP PRAJAPAT

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

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

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Present: Mr. Karan Singla and Ms. Malvi Aggarwal,
Advocates for the petitioner.

Mr. Rakesh Kumar Jangra, AAG, Haryana.

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H.S. GREWAL, J. (ORAL)

This petition has been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail for the petitioner in case FIR No.0245 dated 03.08.2024 under Sections 34, 370, 406 and 420 of IPC and Section 24 of Emigration Act, 1983 (Section 506 IPC added later on) registered at Police Station Sector 13/17, Panipat, District Panipat.

2. The case of the prosecution is that the petitioner has cheated the complainant of Rs.11,19,000/- on the pretext of sending his son abroad.

3. Learned counsel for the petitioner contends that the allegations against the petitioner are false and concocted. The petitioner has not committed any offence and that he has been falsely implicated in the present case. He further submits that the petitioner is in custody for the last 01 year and 20 days. It is further stated that charges have been framed against the petitioner on 04.07.2025 and as such, the trial of the case will take a long time to conclude.

4. Learned State Counsel, on the other hand, vehemently opposes the petition for grant of bail on the ground that there is an active role of the petitioner in the commission of the offence in question and there are serious allegations

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against him. Hence, he prays for dismissal of the present petition. Custody certificate filed by the State Counsel is taken on record. As per the said certificate, the petitioner is in custody for the last 01 year and 20 days.

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

6. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioner is in custody for the last 01 year and 20 days and the trial will take a long time to conclude, this Court is of the opinion that the petitioner deserves the concession of regular bail. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioner would not serve the ends of justice, therefore, he is entitled to regular bail during the pendency of the trial.

7. 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/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

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

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

(H.S. GREWAL)
JUDGE

JANUARY 29, 2026.
Rajender

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

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