



CRM-M-52409 of 2025 (O&M) -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-52409 of 2025 (O&M)
Date of Decision: 17.02.2026

Gagandeep Singh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Zorawar S. Chauhan, Advocate and
Ms. Shreya Bubhani, Advocate for the petitioner.

Mr. Mohit Chaudhary, AAG, Haryana.

Mr. Sandeep Chopra, Advocate and
Mr. Saurav Thakur, Advocate for the complainant.

RUPINDERJIT CHAHAL, J (ORAL)

CRM-43445-2025

This is an application for placing on record challan/final report
as Annexure P-12.

Application is allowed, as prayed for.

Main Case

1. Prayer in the instant petition filed under Section 483 of the
Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the
petitioner in case FIR No.172 dated 06.06.2025 registered under Sections 406
and 420 of IPC, at Police Station Bilaspur, District Yamuna Nagar.

2. Brief facts of the present case as per the prosecution are that, the
petitioner had cheated the complainant for a sum of Rs.19,45,000/-, on the
pretext of sending his son abroad.

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3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He argued that the petitioner has not received any money from the complainant. He further argued that the son of the complainant (Mandeep Singh) and sister of the petitioner (Harpreet Kaur) are married. He further argued that in fact, there was a matrimonial dispute between the parties and a complaint was moved by Harpreet Kaur against Mandeep Singh and the present FIR is counterblast to the same. Moreover, the petitioner has clean antecedents as he is not involved in any other case and no recovery is to be effected from him. The petitioner is in custody since 29.07.2025. The investigation in this case is complete, challan stands presented and charges have also been framed. He further submits that there are total 10 prosecution witnesses and out of which, only 02 have been examined till date and as such, the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has filed the custody certificate of the petitioner, which is taken on record and while referring to the status report already filed in the matter, he has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. However, he has not controverted the fact that the petitioner is a first time offender as he is not involved in any other case.

5. Learned counsel for the complainant adopts the submissions made by learned State counsel and while opposing the prayer for grant of bail to the petitioner, has contended that the petitioner has duped the complainant



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for his hard earned money and, thus, does not deserve the concession of bail.

6. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 06 months; he has clean antecedents; investigation is complete; challan stands presented; charges framed; out of 10 prosecution witnesses, 02 have been examined till date; the complicity of the petitioner is a matter of trial, which is proceeding at snail's pace and the same will take a long time to conclude. Thus, no useful purpose would be served by detaining him in further custody. His continued detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

7. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

8. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

(RUPINDERJIT CHAHAL)
JUDGE

17.02.2026
D.Bansal

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