



CRM-M-52747-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-52747-2025

Decided on :23.03.2026

Prem Sagar @ Prince

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rakesh Sobti, Advocate for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

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SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.0003 dated 09.01.2025, under Sections 420, 406 IPC (Sections 316(2), 318(4) of BNS, 2023), registered at Police Station Dasuya, District Hoshiarpur.
2. After hearing learned counsel for the petitioner on 26.11.2025, the following was recorded:

“1. xxx

2. As per allegations, petitioner gave full assurance to the complainant – Suman Kumari, to settle her son, namely Tarlok Singh, in Australia and for the said purpose, deal was struck for a sum of Rs.16.00 lakhs.

3. Learned counsel for the petitioner argues that not a single penny was deposited in the bank account of the petitioner, nor any amount in cash has been paid to him. Petitioner is lying inside jail since 02.06.2025, i.e., about 05 months and 22 days. All the alleged offences are triable by the Court of Ld. Magistrate and process of recording of statements is yet to start. Thus, learned counsel submits that petitioner cannot be detained in jail for an indefinite period and accordingly, prays for concession of regular bail to the petitioner.



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4. *On the other hand, learned State counsel has filed the status report and custody certificate dated 25.11.2025, in Court today, which are taken on record, subject to all just exceptions. Office to tag the same at appropriate place. Copies thereof have been handed over to the counsel for the petitioner.*

5. *Learned counsel for the petitioner, while referring to paragraph No.4(ii)(iii) & (iv) of the status report, points out that on 08.05.2023, an amount of Rs.4.00 lakhs and another sum of Rs.4,90,000/- on 16.05.2023 had been found deposited in the bank account of Deepak Kumar (A/c No.159729594069, SBI Bank Branch, Dasuya).*

He also points out that another sum of Rs.4,68,000/- had been transferred by the complainant into the account of one Harpreet Singh (A/c No.40456787908). Besides, there are other account details mentioned in said paragraphs, by which, it can be assessed that the amount in thousands/lakhs had been transferred into the bank accounts of different persons. Thus, learned counsel argues that none of the said persons, namely Deepak Kumar, Harpreet Singh, Sunil Kumar etc. have been impleaded as accused in the present case, against whom ample evidences of earning monetary gain are well proved on record.

6. *On hearing the petitioner's counsel, a question arises as to why the prosecution has not explained that why other persons, in whose accounts amount in thousands/lakhs had been transferred, have not been joined in the investigation, whereas admittedly nothing was found deposited in the bank account of the petitioner.*

7. *List again on 10.02.2026, for seeking clarification from the State.*

8.xxx”

Thereafter, petitioner was ordered to be released on interim

bail. Upon being asked by the Court, it was clarified by learned State Counsel that none of the accused, namely Deepak Kumar, Harpreet Singh, and Sunil Kumar, in whose accounts the amount paid by the complainant was deposited, have been arrested in the case, as they are residing abroad. However, the statement of their father already stands recorded.

3. Taking into consideration the totality of the circumstances, particularly the fact that the offences are triable by the Court of a Magistrate and that petitioner had remained in custody for a period of

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five months and two days prior to the grant of interim bail vide order dated 26.11.2025, prayer made in the present petition is accordingly allowed. Interim bail granted to the petitioner vide order dated 26.11.2025 passed by this Court is hereby made absolute. Petitioner is ordered to be released on bail upon furnishing **fresh** bail/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

4. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

5. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

23.03.2026***Rashmi***

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*