

2026:PHHC:003689



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

106+209

**CRM-M-57469-2025 (O&M)
Date of Decision: 14.01.2026**

YOGESH KALRA

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

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

Present: Mr. D.S. Matya, Advocate
for the petitioner.

Mr. Rakesh Kumar Jangra, AAG, Haryana.

H.S. GREWAL, J. (ORAL)

CRM-658-2026

Allowed as prayed for.

CRM-657-2026

Allowed as prayed for.

The document Annexure P-5 is ordered to be taken on record subject to all just exceptions. Registry is directed to tag the same at appropriate place of the paper book.

MAIN CASE

This petition has been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 (wrongly mentioned as 'Indian Penal Code' in the head note of the petition) seeking regular bail for the petitioner in case FIR No.317

dated 09.12.2022 under Sections 420, 467, 468, 471 and 120-B of IPC, registered at Police Station Sector 17/18, District Gurugram.

2. The allegations against the petitioner are that the petitioner while working as an Assistant Manager, Highways Division procured forged bid documents and used to take reimbursements from the company in the name of enhanced bidding amounts than actually paid and in this way, the petitioner has embezzled lacs of rupees.

3. Learned counsel for the petitioner contends that the petitioner had been acting upon the instructions of his superiors and the excess amount was transferred in the account of the company. He further contends the said amount was being maintained by the senior official namely Jitender Singla, who is the complainant and has not deposed against the petitioner and has deposed to the effect that he was not aware of the bidding process. Moreover, the petitioner is in custody for the last 07 months and 09 days.

4. Notice of motion.

5. Mr. Rakesh Kumar Jangra, AAG, Haryana accepts notice and 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. 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 has already undergone a period of 07 months and 09 days.

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

7. 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 07 months

and 09 days and the complainant has not deposed against the petitioner, 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, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial.

8. 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.

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

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

JANUARY 14, 2026.
Rajender

(H.S. GREWAL)
JUDGE

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