



CRM-M-59521-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-59521-2025

Decided on :07.04.2026

Vikash

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Ankur Lal, Advocate for the petitioner.

Mr. Parveen Kumar, Addl. A.G., Haryana.

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SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS (corresponding Section 439 Cr.P.C.) seeking regular bail in case FIR No.122 dated 01.05.2025, under Sections 3(5), 304 of BNS (Sections 316(5), 61(2), 238, 240 of BNS and Section 25 of Arms Act were added later on and Sections 3(5) and 304 of BNS were deleted), registered at Police Station Bhiwani Khera, District Bhiwani.

2. As per the case of the prosecution, it was petitioner himself who, in the capacity of a complainant, got the FIR registered with the allegations that on 25.04.2025, he withdrew a sum of ₹10 lakhs pertaining to old-age pension, widow pension, and disability pension for the residents of Village Kirawar and Dhani Kirawar from the Post Office, Jamalpur, and thereafter carried the said amount to his residence at Village Barsi, where he kept the cash.

It is further stated that an amount of ₹3 lakhs had already been distributed on 18.04.2025, and thereafter, an additional sum of ₹3 lakhs was distributed on two occasions, i.e., on 29.04.2025 and 30.04.2025, among the villagers of Dhani Kirawar and Kirawar. The remaining amount of ₹4,66,600/-, while being carried by the petitioner,

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was allegedly snatched by two boys riding an old Platina motorcycle with their faces covered, from a pithoo bag in his possession.

However, during the course of investigation, it was found that petitioner had lodged a false version of the incident, and consequently, he himself was arrayed as an accused in the present case. Hence, present petition.

3. Learned counsel for the petitioner submits that petitioner is a young boy, aged 21 years and is in judicial custody since 02.05.2025. Out of a total of 25 prosecution witnesses, only 01 has been examined till date, since all the offences are triable by the learned Magistrate's Court, trial is likely to take considerable time for its conclusion. Counsel further submits that petitioner has clean antecedents, with no other case registered against him. In view of these circumstances, counsel prays for the grant of regular bail.

4. Learned State counsel opposes the prayer for bail, submitting that petitioner is accused of serious offences involving the misappropriation of pension funds amounting to ₹10 lakhs, as detailed in the FIR and subsequent investigation. It is further submitted that petitioner had initially lodged a false version of the incident, and only during investigation was it revealed that he himself was involved in the offence. The offences are economic in nature and affect multiple villagers, indicating a larger public interest. Moreover, the trial has just commenced, and several prosecution witnesses are yet to be examined. Therefore prays for dismissal of present petition.

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5. I have heard learned counsel for the parties and perused the paper-book as well as the appended documents.

6. Considering the fact that petitioner is a young boy aged 21 years, is in judicial custody since 02.05.2025, and trial is likely to take considerable time as only 01 prosecution witnesses has been examined out of total 25, coupled with the fact that petitioner has clean antecedents and no other case is pending against him, this Court is of the considered view that no useful purpose would be served by keeping the petitioner in further custody.

Accordingly, without expressing any opinion on the merits of the case, present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. 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.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

07.04.2026***Rashmi***

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No