

CRM-M-61974-2025

2026:PHHC:022763



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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(209)**

CRM-M-61974-2025

Date of decision: 13.02.2026

DINESH KUMAR

..... Petitioner

V/s

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Jaswinder Singh Rana, Advocate for
Mr. Parminder Singh, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

Mr. Sanjeev Majra, Advocate for the complainant.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition under Section 483 BNSS, 2023 is for the grant of the regular bail to the petitioner in FIR No.183 dated 29.03.2025 (Annexure P-1) under Sections 406, 420 and 506 IPC registered at Police Station Gharaunda, District Karnal.

2. The accusations against the petitioner are that he allured the complainant to make payment to the tune of Rs.55,58,607/- to fetch interest @ 5% per month. Despite repeated requests for return, only Rs.23 lakh were returned in two installments and thereafter the petitioner started threatening the complainant to get him involved in false cases or get him eliminated.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. A civil dispute has been given the colour of a criminal one. The petitioner is in custody since



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28.05.2025 but none of the 14 prosecution witnesses has been examined so far. The case is triable by the Court of a Magistrate. As the Trial is not likely to be concluded anytime soon, he is entitled to the concession of bail.

4. The learned counsel for the State assisted by the complainant, on the other hand, contends that the petitioner cheated the complainant and others of a huge amount of money. The nature of allegations levelled against the petitioner does not entitle him to the concession of bail as prayed for. He, however, concedes that the petitioner is in custody since 28.05.2025 but none of the 14 prosecution witnesses has been examined so far and that the case is triable by the Court of a Magistrate.

5. I have heard the learned counsel for the parties.

6. This Court in the case titled as ***Maninder Sharma Vs. State Tax Officer, State, Mobile Wing, Jalandhar, Punjab bearing CRM-M24033-2021(O&M) Decided on 31.08.2022*** has held as under:-

“Therefore, broadly speaking (subject to any statutory restrictions contained in Special Acts) , in economic offences involving the IPC or Special Acts or cases triable by Magistrates once the investigation is complete, final report/complaint filed and the triple test is satisfied then denial of bail must be the exception rather than the rule. However, this would not prevent the Court from granting bail even prior to the completion of investigation if the facts so warrant.”

7. Coming back to the facts of the present case, admittedly, the petitioner is in custody since the last approximately 09 months but none of the 14 prosecution witnesses has been examined so far. Therefore, the Trial in the present case is not likely to be concluded anytime soon. The



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petitioner has clean antecedents. The present case is triable by the Court of a Magistrate and no serious apprehension has been expressed by the State that the petitioner would abscond from justice, tamper with the evidence or influence witnesses if granted the concession of bail. Therefore, in this situation, the further incarceration of the petitioner is not required.

8. Thus, without commenting upon the merits of the case, the present petition is allowed and the petitioner, namely, Dinesh Kumar is ordered to be released on bail to the satisfaction of the Trial Court/Duty Magistrate concerned.

9. The petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.1,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

10. The present petition stands disposed of.

11. The pending application(s), if any, shall stand disposed of accordingly.

13.02.2026
Kusum

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No