

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

123

2026.PHHC.031229



CRM-M-66295-2025 (O&M)
Date of decision: 26.02.2026.

KHUSHI RAM @ KHUSIA

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Amandeep Chhabra, Advocate,
for the petitioner.

Ms. Chhavi Sharma, AAG, Haryana assisted by
SI Mahinder Pal.

Mr. Dhanpat Rai Singla, Advocate,
for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

This is the second petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in case bearing FIR No.101 dated 18.05.2024, under Section(s) 406 of the Indian Penal Code, 1860 (Sections 420, 467, 468, 471 and 120-B of IPC added later on), registered at Police Station City Pehowa, District

Kurukshetra. The first petition seeking grant of regular bail filed by the petitioner bearing No. CRM-M-38096-2025 was dismissed on 24.07.2025.

As per the case set up by the prosecution, the petitioner is alleged to have duped the complainant for a sum of Rs.42,50,000/- on the pretext of facilitating the travel of his son along with his family abroad. It is alleged that, despite having received the aforesaid amount, only a sum of Rs.7,00,000/- was returned and the remaining amount has not been refunded to the complainant.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was taken in custody in the aforesaid case on 22.01.2025 and has thus undergone an actual custody of more than 01 year. He also contends that even though the charge has been framed, however, out of 23 witnesses cited by the prosecution, none of the witnesses has been examined so far. Learned counsel further submits that the case being triable by a Magistrate, the petitioner deserves the concession of regular bail.

State counsel as well as counsel for the complainant contend that the petitioner had duped the complainant for a huge sum of money on the false pretext of facilitating the travel of his son along with his family abroad. It is contended that the petitioner is involved in six other cases and thus has criminal antecedents. It is further contended that in one of such cases, the petitioner was declared a proclaimed offender resulting in registration of FIR No.198 dated 20.05.2024, under Section 174-A of the IPC, at Police Station City, Pehowa. Hence, there is a possibility of the petitioner absconding from trial. The period of custody undergone by the petitioner and the stage of the trial is not disputed. It is also not disputed that the offences are triable by the

Judicial Magistrate.

Having heard learned counsel for the parties and taking into consideration the nature of the allegations, the period of actual custody undergone by the petitioner, which is nearly one year, the fact that the case is triable by a Magistrate and the present stage of the trial, I deem it appropriate to allow the present petition. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bond/surety bond of **heavy surety** to the satisfaction of the Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

February 26, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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