



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-70172-2025
Decided on : 28.04.2026

Subhash Sharma . . . Petitioner(s)

Versus

State of Haryana and another . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Nikhil Mittal, Advocate
for the petitioner(s).

Mr. Amish Sharma, AAG, Haryana
assisted by ASI Prem Kumar.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Subhash Sharma	42	01.03.2025	316(2), 318(4), 61(2) of BNS, 2023	City Pehowa	Kurukshetra

2. As per allegations in FIR, complainant Gurmeet Singh got registered FIR alleging that Vicky Sharma, co-accused of the petitioner, demanded an amount of Rs.20,00,000/- for sending complainant's nephew (bhanja) Paramjeet Singh to America. An amount of Rs.10,00,000/- was paid to the present petitioner Subhash Sharma for the said purpose. Neither the said amount was returned to the complainant by the petitioner, nor any arrangement was made to send his nephew (bhanja) to USA.

3. Learned counsel for the petitioner submits that a false case has been registered against the petitioner and he has already remained inside the jail for more than 10 months. Thus, in the given circumstances, learned



counsel seeks concession of regular bail to the petitioner.

4. On the other hand, learned State counsel has filed the custody certificate dated 27.04.2026 in Court today, which is taken on record. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

5. Learned State counsel, while opposing the prayer for bail, submits that a huge amount of Rs.10,00,000/- was paid in cash to the petitioner. Besides, as per custody certificate, there are four other cases of similar nature registered against the petitioner and two cases are under the Negotiable Instruments Act. Thus, keeping in view antecedents of the petitioner, he does not deserve concession of regular bail at this stage.

6. I have heard learned counsel for the parties and perused the relevant material available on record.

7. Allegations against the petitioner are with regard to receiving an amount of Rs.10,00,000/- on the pretext of sending complainant's nephew abroad. However, whether said amount was actually received by the petitioner and the extent of his involvement in the alleged occurrence would be a matter to be determined during trial on the basis of evidence to be led by the parties.

It is also noticeable that petitioner is inside the jail for about a period of more than 10 months. The offences alleged are triable by the Court learned Magistrate, and conclusion of trial is likely to take some time. Though other cases are stated to be pending against the petitioner, same by itself cannot be made sole ground to deny bail at this stage.

8. In view of the above facts and circumstances, without commenting upon merits of the case, this Court is of the considered view that further incarceration of the petitioner would not serve any useful purpose. Accordingly, petitioner deserves to be extended concession of regular bail.

Consequently, prayer made in the 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.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. Any of the discussion done and recorded here-above, 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.

11. Petition stands **disposed of**.

Pending misc. application(s), if any, also stand(s) disposed of.

(SANJAY VASHISTH)
JUDGE

April 28, 2026

J.Ram

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