



CRM-M-71726-2025

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

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Date of Decision: 15.01.2026

Subhash Sharma

... Petitioner

VERSUS

State of Haryana and another

... Respondents

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

Present: Mr. Nikhil Mittal, Advocate
for the petitioner.

Mr. R. K. Jangra, AAG., Haryana.

H.S. GREWAL, J. (ORAL)

1. This petition has been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail for the petitioner in case FIR No.376 dated 08.12.2024 under Sections 406, 420 IPC and Section 24 of Immigration Act registered at Police Station Kalayat, District Kaithal.

2. The case of the prosecution is that the present complaint was received from the office of S.P. Kaithal in Police Station Kalayat through official Dak bearing CCTNS No.2370 Peshi dated 10.10.2024, wherein complainant Sandeep Kumar sought initiation of legal action against two persons namely Subhash Sharma (petitioner herein) and Sidhu Mann @ Jagjeet @ Jaggi. It is further alleged that the petitioner has taken Rs.89 lacs from the complainant for sending



the relative of the complainant to Canada. However, he handed over forged air tickets of Australia to one Ravish Kumar and Saksham.

3. Learned counsel for the petitioner submits that the petitioner has already paid an amount of Rs.36 lacs out of the total amount due to the complainant. He further submits that the petitioner is not involved in any other case, the trial is yet to commence and the petitioner has already undergone a custody of 10 months.

4. Notice of motion.

5. Mr. R. K. 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 said offence. Learned counsel for the State has filed custody certificate of the petitioner which is taken on record. As per the said certificate, the petitioner is in custody for a period of last more than 10 months.

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

7. In view of the above submissions of learned counsel for the parties and taking into consideration the facts and circumstances that the petitioner is in custody for the last more than 10 months and that the trial against the petitioner will take a long time to conclude, 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.



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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.

(H.S. GREWAL)
JUDGE

JANUARY 15, 2026.
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No