



CRM-M-16554 of 2025 **1**

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

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CRM-M-16554 of 2025

DATE OF DECISION :- 26.05.2025

Sanjay Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present:- Mr. Narender Kaajla, Advocate and
Mr. Ajay Nain, Advocate for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 BNSS in case FIR No. 861 dated 21.11.2023 under Sections 406, 420, 34 of IPC (Sections 467,468,471 IPC added later on) registered at Police Station Azad Nagar, District Hisar.

2. Learned counsel for the petitioner submits that in a magisterial trial, the petitioner has now been in custody since 24.07.2024. It has been asserted by the learned counsel that the investigation in the present case is complete, challan having been presented on 21.10.2024 and charges having been framed thereafter. It has also been submitted that out of the 14 prosecution cited, while 01 has been completely examined, another witness



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has been examined-in-chief, however, his cross-examination is pending since an application under Section 319 of the Cr.P.C has been moved. Learned counsel submits that in the circumstances the possibility of the trial concluding in the near future does not arise.

3. Learned State counsel while opposing the prayer and submissions made by the counsel opposite has not disputed the custody period of the petitioner nor has he disputed the stage of trial, however, learned counsel has drawn the attention of this Court to the allegations levelled against the petitioner that all the accused including the petitioner had extended false assurance to the complainant that they would manage a good job for him in Canada in lieu of an amount of Rs.21 lakhs.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. In a case triable by a Magistrate the petitioner has now been in custody since 24.07.2024. The entire case of the prosecution hinges on documentary evidence which is already part of the challan hence there could be no apprehension of the petitioner tampering with the evidence in case he is enlarged on bail. Therefore, this Court deems it fit to extend the concession of bail to the petitioner as no further incarceration of the petitioner is required.

6. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.



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7. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

(MANJARI NEHRU KAUL)
JUDGE

26.05.2025

P.Singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No