

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:098443



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CRM-M-24241-2025 (O&M)
Date of decision:02.08.2025

Harjit Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Anil Chawla, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No.10 dated 19.01.2025, registered under Section 420 IPC, at Police Station Division-A Police Commissionerate, District Amritsar.

2. The afore mentioned FIR was registered on the basis of a complaint lodged by the complainant – Usha Handa alleging that the petitioner had induced her to part with a sum of Rs.5 lakhs on the pretext of securing a job of Staff Nurse in Civil Hospital, Amritsar. However, he failed to get any such job for her. On insistence of complainant, he had returned an amount of Rs.1,20,000/- but was not returning the remaining amount and rather had been extending threats. The petitioner was arrested on 28.02.2025

and is in custody since then. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Infact it was the daughter of the complainant, who had taken a sum of Rs.5,20,000/- from him on the pretext of providing job of helper and Chief Khalsa Diwan to him. When he insisted for repayment of that amount since she could not provide any job to him, she got this case registered against him. He had filed a civil suit against the complainant. He was in custody in some other case since 06.09.2024 and is in custody in this case since 28.02.2025. Investigation stands completed. Trial is likely to take time. His further incarceration would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

4. Status report has been filed. It is argued by learned State counsel that keeping in view the gravity of allegations as levelled against him, he does not deserve to be extended the benefit of bail especially keeping in view the fact that he is involved in several other cases of similar nature.

5. I have heard rival submissions made by learned counsel for the parties.

6. The petitioner is alleged to have induced the complainant to part with a sum of Rs.5 lakhs on the pretext of securing a job for her daughter. As per allegations, he had returned a sum of Rs.1.80 lakhs to the complainant and remaining amount was not given by him. The petitioner on the other hand has levelled allegations that it was the daughter of the complainant, who had taken money from him. It is a case of cross allegations. The petitioner is in custody since 28.02.2025. Investigation has

completed. Trial will take time to conclude. The subject offences are triable by the Magistrate. His involvement in other cases cannot be considered to be the sole reason for denying benefit of bail to the petitioner. It is well settled proposition of law that the bail is the rule and jail is an exception. Keeping in view the above discussed facts and circumstances, a case is made out for release of the petitioner on bail. Accordingly the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate/CJM concerned.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

02.08.2025

harjeet

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