



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

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**CRM-M-22693-2025
Decided on : 30.09.2025**

Rupinder Aujla @ Rupinder Ojla . . . Petitioner(s)

Versus

State of Haryana . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Nirmal Singh, Advocate
for the petitioner(s).

Mr. Amish Sharma, AAG, Haryana.

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
Rupinder Aujla @ Rupinder Ojla	296	28.07.2024	406, 420, 467, 468, 471, 201 of IPC and 10, 24 of Emigration Act (mentioned as Immigration Act in the copy of FIR)	Ladwa	Kurukshetra

2. At the outset, learned State counsel has filed the status report and custody certificate dated 29.09.2025, in Court today, which are taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

Copies there of have been handed over to the counsel for the petitioner.



3. The allegation against the petitioner is that, under the pretext of arranging a work visa to Australia for the son of complainant Kiran, and by providing a forged and fake visa, he misled the complainant and succeeded in getting an amount of ₹11,00,000/- transferred in his bank account.

4. Without entering into the merits at length, learned counsel for the petitioner submits that the petitioner has been falsely implicated in three other cases as well by the police, all in the year 2024, by levelling similar allegations. It is also pointed out that complainant Kiran has filed a complaint under Section 138 of the Negotiable Instruments Act, 1881 (Complaint No. NACT/539/2024) against the petitioner on the same set of allegations, involving bouncing of a cheque of ₹15,00,000/-. It is further submitted that the petitioner has been in custody for about 1 year and 4 days and, despite completion of investigation and presentation of challan, charges are yet to be framed. Thus, the process of recording statements of prosecution witnesses has not even commenced.

5. Referring to the status report/custody certificate, learned counsel for the petitioner submits that the petitioner is shown to be involved in a total of five cases (including the present one), out of which one is under the NI Act. All cases appear to have been registered in the year 2024 only and are of similar nature. On this basis, prayer is made for grant of regular bail.

6. On the other hand, learned State counsel vehemently opposes the prayer for bail. It is submitted that the petitioner is involved in multiple cases of similar nature, all registered in the year 2024, which clearly shows that he is a habitual offender indulging in a pattern of cheating and forgery to



dupe innocent persons.

Learned State counsel also points out that though the challan has been presented, but keeping in view the gravity of the offence, coupled with the antecedents of the petitioner, he does not deserve any sympathy. However, he fairly concedes the factual assertions as made here-above by the petitioner's counsel.

7. Having heard learned counsel for the parties and on perusal of the record, because of the following reasons, bail plea of the petitioner seems worth consideration:-

- (i) All the offences are triable by the Court of Learned Magistrate;
- (ii) Petitioner is inside jail for a period of about 1 year and 4 days.
- (iii) Investigation is complete and the challan has already been presented; however, charges are yet to be framed and the trial has not even commenced.
- (iv) Since all the offences are triable by the Court of learned Magistrate, ordinarily, even if the petitioner is convicted, the sentence is not likely to exceed three years, unless there are special circumstances justifying a higher sentence.
- (v) Though petitioner is shown to be involved in other cases of similar nature, all those cases were registered in the year 2024 only, and the merits of those cases shall be determined separately.
- (v) The allegations are yet to be proved by the prosecution against the petitioner beyond the shadow of reasonable doubt.
- (vi) Further incarceration of the petitioner for an indefinite period is not warranted at this stage, as conclusion of the trial is likely to take considerable time, and the liberty of the petitioner cannot be curtailed for such a prolonged duration.

8. Accordingly, 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**.

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

(SANJAY VASHISTH)
JUDGE

September 30, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No