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

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**CRM-M-8100-2026 (O&M)
Decided on: 15.05.2026**

YATIN KUMAR

.....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Gaurav Vir Singh Behl, Advocate for the petitioner.
Mr. Surender Singh Pannu, Addl. A.G., Haryana.

SUBHAS MEHLA, J. (Oral)

1. The present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking grant of regular bail in case bearing FIR No.403 dated 16.12.2024 under Sections 316(2) and 318(4) of BNS registered at Police Station Mahesh Nagar, District Ambala.

2. Allegations against the present petitioner are that the present petitioner cheated the complainant, namely, Narsi Dass on pretext of sending his daughter abroad. However, neither he sent complainant's daughter abroad nor returned his money. Hence the present FIR was registered.

3. Learned counsel for the petitioner prayed for grant of concession of regular bail while making following submissions:

(I) the matter has been compromised with the complainant and has handed over a copy of compromise deed to this Court which is taken on



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record;

(II) the present petitioner has been in custody since 02.01.2026;

(III) investigation has been completed & challan stands presented;

(IV) the petitioner is having clean & clear antecedents;

(V) trial will take sufficient time to conclude, therefore, no fruitful purpose would be served by keeping the petitioner behind the bars.

3. Mr. Darshan Kumar, Advocate has put in appearance and has filed *vakalatnama* on behalf of respondent No.2/complainant which is taken on record and admitted the factum of compromise, having been arrived at between the parties and submitted that he has no objection in case the concession of regular bail is granted to the petitioner.

4. Learned counsel for the State opposed the prayed made on behalf of learned counsel for the State that the present petitioner duped the complainant to the tune of Rs.11.94 lakh. However, it is fairly admitted that the investigation is complete and the challan has been filed before the trial Court.

5. Heard.

6. Taking into consideration the facts & circumstances of the present case, the rival contentions of the parties & without commenting upon the merits of the present case, this Court finds merit in the present petition on the following aspects:



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- (I) the matter has been compromised between the parties;
- (II) the petitioner has been in custody since 02.01.2026 i.e. for the last more than 05 months;
- (III) investigation is complete and the challan has been presented before the trial Court;
- (IV) trial is likely take sufficient time to conclude and as such, no fruitful purpose would be served by keeping him in custody for indefinite period

7. Concession of bail cannot be denied just as a measure of punishment as culpability is to be decided by trial Court after appreciating evidence adduced by the parties, and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

8. Therefore, without expressing any opinion on the merits of the case, the present petition is **allowed**. The petitioner is directed to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

(SUBHAS MEHLA)
JUDGE

15.05.2026
Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO