



CRM-M-15219-2026

2026:PHHC:062256

234

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-15219-2026**

Rahul Alias Chand

....Petitioner

Versus

State of Haryana

...Respondent

Date of Decision: April 23, 2026**Date of Uploading: April 23, 2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL****Present:-** Mr. Rohit Mittal, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 483 of the BNSS, 2023 (Section 439 Cr. P.C.) seeking grant of regular bail to the petitioner, in case FIR No.40 dated 16.10.2025, registered under Sections 238(c), 318(4) and 61(2) of the BNS, 2023, at Cyber Police Station Narnaul, District Mahendergarh.

2. The gravamen of the FIR in question is that the complainant, namely, Deepak Sharma, stated that on 09.10.2025, the petitioner, along with his friend, visited the complainant's shop in a car. As they belonged to neighbouring villages, the complainant was already acquainted with the petitioner. The petitioner informed the complainant that he required cash and requested him to share his QR Code, assuring that he would transfer the amount online. The complainant initially refused, stating that cash would be



CRM-M-15219-2026

2026:PHHC:062256

provided only if the amount was transferred from petitioner's own bank account.

Subsequently, the petitioner revisited the shop and transferred a total sum of ₹91,000/- in three transactions by scanning the complainant's QR Code into his PNB account No.1904002100003871. Upon confirmation of receipt of the said amount, the complainant handed over ₹91,000/- in cash to the accused and retained a copy of his Aadhaar Card. After a few days, the complainant discovered that his PNB current account had been placed on hold to the extent of ₹45,000/- on the ground that a defrauded amount had been credited into his account. It is alleged that the petitioner, in connivance with his associates, deceived and cheated the complainant, thereby causing wrongful loss to him.

3. Learned counsel for the petitioner has submitted that the petitioner is in custody since 17.10.2025. Learned counsel has iterated that the petitioner has been falsely implicated into the FIR in question. Learned counsel has argued that the petitioner has already suffered incarceration for more than 05 months. Learned counsel has further submitted that culmination of the trial will take long time. Learned counsel has submitted that the petitioner is a young man aged 25 years. Thus, regular bail is prayed for.

4. Learned State counsel has filed status report by way of affidavit of dated 20.04.2026 in Court today. The same be kept on record. Copy thereof has been furnished to learned counsel for the petitioner. Raising submissions in tandem with the said reply, learned State counsel has opposed the present petition by arguing that the allegations raised are serious



CRM-M-15219-2026

2026:PHHC:062256

in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 23.03.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 17.10.2025, whereinafter investigation was carried out and challan *qua* the petitioner stands presented on 11.12.2025. Out of total 09 cited prosecution witnesses, none has been examined till date. It is, thus, indubitable that culmination of trial will take its own time. The rival contentions raised at Bar give rise to debatable issues, which shall essentially be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, *lest* it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per custody certificate dated 23.03.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 05 months and 07 days, & is shown to be involved in other cases. As per the said custody certificate, the petitioner is stated to be involved in more cases/FIRs. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this



CRM-M-15219-2026

2026:PHHC:062256

regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in *CRM-M No.38822-2022* titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is **allowed**. Petitioner is ordered to be released on regular bail, if not required in any other case, on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed



CRM-M-15219-2026

2026:PHHC:062256

hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

April 23, 2026

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No