



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

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CRM-M-41567-2026

Date of decision : 09.09.2026

Date of uploading : 09.09.2026

Rajeev Datta

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Ms. Amandip Kaur, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

SUMEET GOEL, J. (ORAL)

1. Present 2nd petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.97 dated 16.03.2023 under Sections 406, 420, 506 of IPC and Section 24 of Immigration Act, Sections 370, 384 of IPC added later on, registered at Police Station Taraori, District Karnal, Haryana.

2. It is not in dispute before this Court that the petitioner was afforded the concession of regular bail by a Coordinate Bench of this Court vide order dated 24.01.2024 passed in CRM-M-64921-2023. Learned counsel has further submitted that the petitioner continued to appear before the Trial Court for some time, but thereafter jumped bail on 18.07.2024, subsequent to which the petitioner was declared a proclaimed offender on 27.02.2025. Thereafter, the petitioner was re-arrested on



07.05.2026 and is in continuous custody since then. Thus, regular bail is prayed for.

4. Learned State counsel had filed reply by way of affidavit dated 11.08.2026, which is already 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 in nature and thus the petitioner does not deserve the concession of regular bail. Learned State counsel seeks to place on record custody certificate dated 08.09.2026 in Court, which is taken on record.

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

6. Keeping in view the entirety of the factual milieu of the case in hand, especially the factum of the petitioner having appeared before the Trial Court for some time, and the circumstances pleaded on his behalf that he was unable to appear subsequently before the concerned Trial Court on account of his daughter having met with an accident and having remained bedridden for a long period, the petitioner being a man aged about 52 years, the petitioner being in custody since 07.05.2026; this Court is inclined to grant the concession of regular bail to the petitioner.

6.1 As per custody certificate dated 08.09.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 10 months and 26 days & is shown to be involved in other 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 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 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 cell-phone 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.



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8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move for 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.

(SUMEET GOEL)
JUDGE

09.09.2026

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