



2026:PHHC:127359

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

CNR No: PHHC011428392026

2026:PHHC:127359



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CRM-M No.49517 of 2026

Date of decision : 09.09.2026

Date of uploading : 09.09.2026

Amit

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Ms. Sharmila Sharma, Advocate, for the petitioner

Mr. Gurmeet Singh, AAG, Haryana.

SUMEET GOEL, J. (ORAL)

1. Present 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.177 dated 10.5.2025 under Sections 420, 467, 468, 471, 120-B and 201 of IPC, Sections 12(1)(B) and 12(2) of Passport Act, 1967 and Sections 7 and 13 of Prevention of Corruption Act, 1988, registered at Police Station Sadar Gohana, District Sonipat.

2. The gravamen of the FIR in question is that Amit s/o Joginder r/o Bhainswal Kalan, District Sonipat, has obtained passport no. Y3150198 by claiming himself to be Ankit s/o Deepak son of Kamla r/o Ground Floor, H.No. 43, village Dallupura, Mayur Vihar, Phase-III, East Delhi; and the petitioner has done his verification to be Ankit s/o Deepak son of Kamla r/o Ground Floor, H.No. 43, village Dallupura, Mayur



Vihar, Phase-III, East Delhi.

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 05.03.2026. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that, in any case, upon culmination of investigation, *challan* already stands presented and completion of trial will take long. Learned counsel has further argued that the petitioner is a man aged 26 years and is the sole bread earner of his family. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the grant of regular bail to the petitioner by iterating that there are direct/serious allegations against the petitioner. Learned State counsel, thus, iterated that the petitioner does not deserve the concession of the regular bail at this stage. Learned State counsel seeks to place on record custody certificate dated 07.09.2026 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 05.03.2026 wherein after investigation was carried out; *challan* was prepared on 04.04.2026 and subsequently filed. Total 36 prosecution witnesses have been cited and it is conceded case before this Court that none has been examined till date. Culmination of the trial will indubitably take long. The rival contentions raised by learned counsel give rise to debatable issues, which shall 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 07.09.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 6 months and 3 days & is stated to be involved in other cases/FIRs. 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.

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 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

9.9.2026
Naveen

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