

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

2026:PHHC:010041



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**CRM-M-2933-2026 (O&M)**

**Date of decision: 23.01.2026**

**Date of uploading: 23.01.2026**

**Rupinder Singh**

**....Petitioner**

V/s

**State of Haryana**

**....Respondent**

**CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Rohit Kaushik, Advocate for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

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**SUMEET GOEL, J. (ORAL)**

1. Present petition has been filed under Section 483 of BNSS for grant of regular bail to the petitioner in case bearing FIR No.88 dated 24.06.2025 registered for the offences punishable under Sections 120-B, 406, 420, 506 IPC, at Police Station Barara, District Ambala.
2. The gravamen of the FIR reflects that the complainant, Jaswinder Kaur wife of Dildar Singh, alleged that she was earlier residing at Karnal Colony, Barara, while her husband was working abroad. On 02.07.2020, she sold her residential house measuring 10 marlas situated at Karnal Colony for a total consideration of ₹29,80,000/- and deposited the said amount in her bank account. Satwinder Singh @ Soni, the maternal

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uncle of accused Rupinder Singh, was residing adjacent to the complainant's house along with his family members. Accused Rupinder Singh frequently visited the house of his said uncle and, during that period, came into contact with the complainant. In the month of August, 2022, accused Rupinder Singh and his mother, Kuldeep Kaur, represented to the complainant that Rupinder Singh was engaged in the business of finance with reputed companies and induced her to invest her money with him on the assurance that she would receive interest at the rate of 2% per month. It was further represented that the amount was to be paid in cash. Believing the said representations, the complainant was induced to invest her money. Acting upon the inducement, the complainant allegedly paid a sum of ₹13,00,000/- in cash to the accused persons on different dates after withdrawing the same from her bank account. Initially, accused Rupinder Singh paid interest to the complainant. Thereafter, in the month of June, 2023, the complainant transferred certain amounts into the bank account of accused Rupinder Singh and, in this manner, till August, 2023, a total amount of ₹22,50,000/- was paid by the complainant to the accused. Subsequently, the accused persons introduced a new scheme and assured the complainant that the invested amount would be doubled within a period of 18 months. On 04.09.2023, the complainant transferred an additional amount of ₹5,75,000/- into the bank account of accused Rupinder Singh. However, thereafter, the accused failed to pay any interest. In order to discharge their liability, accused Rupinder Singh issued three cheques amounting to ₹24,00,000/-, which, upon presentation, were dishonoured. Accordingly, it is alleged that the accused persons cheated and defrauded

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the complainant of a total amount of ₹28,24,600/- . On these set of allegations, the instant FIR has been registered against the petitioner.

3. Learned counsel for the petitioner has submitted that the petitioner is in custody since 22.09.2025. Learned counsel for the petitioner further submitted that the petitioner has been falsely implicated into the FIR in question. Learned counsel has iterated that the petitioner was merely helping the FIR-complainant qua investment purpose and when the said scheme/deal did not fructify to the satisfaction of the FIR-complainant, the petitioner has been falsely implicated into the FIR in question. Learned counsel has further iterated that in any case, the investigation qua the FIR in question is complete. Thus, regular bail is prayed for.

4. Learned State counsel has vehemently opposed the present petition by arguing that the allegations raised are serious in nature and, hence, the petitioner does not deserve the concession of regular bail. Learned State counsel seeks to place on record custody certificate dated 22.01.2026 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.

5.1. Before delving into the matter further, it would be germane to refer herein the case law governing the issue in hand:

5.2. **Gudikanti Narasimhulu and others vs. Public Prosecutor, High Court of Andhra Pradesh AIR 1978 SUPREME COURT 429,** relevant whereof reads as under:

*"10. The significance and sweep of Article 21 make the deprivation of liberty a matter of grave concern and permissible only when the law authorising it is reasonable, even-handed and geared to the goals of community good and State necessity spelt out in Article 19. Indeed, the considerations I have set out as criteria are germane to the constitutional proposition I have deduced. Reasonableness postulates intelligent care and predicates that deprivation of freedom- by refusal of bail is not for punitive purpose but for the bi-focal interests of justice-to the individual involved and society affected.*

*11. We must weigh the contrary factors to answer the test of reasonableness, subject to the need for securing the presence, of the bail applicant. It makes sense to assume that a man on bail has a better chance to prepare or present his case than one remanded in custody. And if public justice is to be promoted, mechanical detention should be close to ours, the function of bail is limited, 'community roots' of the, applicant are stressed and, after the Vera Foundation's Manhattan Bail Project, monetary suretyship is losing ground. The considerable public expense in keeping in custody where no danger of disappearance or disturbance can arise, is not a negligible consideration. Equally important is the deplorable condition, verging on, the inhuman, of our sub-jails, that the unrewarding cruelty and expensive custody of avoidable incarceration makes refusal of bail unreasonable and a Policy favouring release justly sensible.*

*12. A few other weighty factors deserve reference. All deprivation of liberty is validated by social defence and individual correction along an anti-criminal direction. Public justice is central to the whole scheme of bail law. Fleeing justice must be forbidden but punitive harshness should be minimised. Restorative devices to redeem the man, even, through community service, meditative drill, study classes or other resources should be innovated, and playing foul with public peace by tampering with evidence, intimidating witnesses or committing offence while on judicially sanctioned 'free enterprise,' should be provided against. No seeker of justice shall play confidence tricks on the court or community. Thus, conditions may be hung around bail orders, not to cripple but to protect. Such is the holistic jurisdiction and humanistic orientation invoked by the judicial discretion correlated to the values of our constitution."*

5.3. Further, the Hon'ble Supreme Court in a judgment titled as **Gurcharan Singh vs. State (UT of Delhi) 1978 (1) SCC 118**, has held as under:

*"Where the granting of bail lies within the discretion of the court, the granting or denial is regulated, to a large extent, by the facts and circumstances of each particular case. Since the object of the detention or imprisonment of the accused is to secure his appearance and submission to the jurisdiction and the judgment of the court, the primary inquiry is whether a recognizance or bond would effect that end."*

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5.4. Furthermore, the Hon'ble Supreme Court in a judgment tiled as **Sanjay Chandra vs. CBI (2012) 1 SCC 40**, has held as under:

*"21. In bail applications, generally, it has been laid down from the earliest times that the object of bail is to secure the appearance of the accused person at his trial by reasonable amount of bail. The object of bail is neither punitive nor preventative. Deprivation of liberty must be considered a punishment, unless it can be required to ensure that an accused person will stand his trial when called upon. The courts owe more than verbal respect to the principle that punishment begins after conviction, and that every man is deemed to be innocent until duly tried and duly found guilty.*

*22. From the earliest times, it was appreciated that detention in custody pending completion of trial could be a cause of great hardship. From time to time, necessity demands that some unconvicted persons should be held in custody pending trial to secure their attendance at the trial but in such cases, "necessity" is the operative test. In this country, it would be quite contrary to the concept of personal liberty enshrined in the Constitution that any person should be punished in respect of any matter, upon which, he has not been convicted or that in any circumstances, he should be deprived of his liberty upon only the belief that he will tamper with the witnesses if left at liberty, save in the most extraordinary circumstances."*

6. The petitioner was arrested on 22.09.2025, whereinafter investigation was carried out and challan was presented on 17.11.2025. Total 10 witnesses have been cited and it is the conceded position before this Court that none has been examined till date. It is further not in dispute that conclusion of trial will take long time. The rival contentions of the learned counsel for the parties; as to the whether the petitioner has been falsely implicated into the FIR, shall be gone into 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 rights of either of the parties. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the remaining prosecution evidence.

As per the custody certificate dated 22.01.2026 filed by the learned State counsel, the petitioner has suffered incarceration for more than 3 months & 28 days and is stated to be involved in three 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, the further detention of the petitioner in custody is not required in the facts and circumstances of the case.

7. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned 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.

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- (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/Illaqa 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.

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

**(SUMEET GOEL)  
JUDGE**

January 23, 2026

*Nuveen*

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