



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

233

CRM-M-24922-2025
Decided on : 21.07.2025

Amit Kumar

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Rajesh K. Dadwal, Advocate
for the petitioner(s).

Mr. Jasdeep Singh, Addl. AG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Amit Kumar	202	07.11.2024	318(4) and later on added offences u/s 336(2), 336(3), 338, 340(2), 61(2) of BNS, 2023	Sadar	Hoshiarpur

2. Learned counsel for the petitioner submits that, as per the allegations, while acting as surety for securing the release of an accused on bail, forged documents were allegedly submitted. However, no such material evidence has been collected by the prosecution agency during the course of investigation. He further argues that all the offences alleged are triable by the Court of the learned Magistrate. Petitioner has been in custody since 08.11.2024 and he is no longer required for any investigation purpose. As the trial is not likely to conclude in the near future, continued



incarceration of the petitioner would amount to depriving him of his personal liberty for an indefinite period.

Accordingly, learned counsel prays for the grant of regular bail to the petitioner.

3. On the other hand, learned State counsel, while opposing the prayer for bail, submits that the offence is serious in nature as it involves the submission of forged documents before a Court. It is further submitted that the petitioner is also involved in two other cases of cheating and fraud.

However, learned State counsel does not dispute the other factual aspects, namely, the total period of incarceration and the fact that no prosecution witness has been examined so far.

4. Having considered the rival submissions and taking into account the facts and circumstances of the case, particularly the fact that the offences are triable by the Court of learned Magistrate and investigation *qua* the petitioner is already complete, coupled with the fact that the petitioner has been in custody since 08.11.2024, this Court is of the view that the continued incarceration of the petitioner is not warranted at this stage. Notably, the prosecution has neither recovered nor collected any material evidence during investigation. Accordingly, I deem it appropriate to grant the concession of regular bail to the petitioner.

5. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

6. Needless to observe that the petitioner shall not extend any threat



and shall not influence any prosecution witness in any manner directly or indirectly.

7. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

July 21, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No