

221

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

CRM-M-23101-2025

Date of Decision:- 06.08.2025

ROHIT @ RAHUL

...Petitioner

Vs.

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

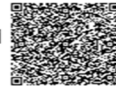
Present:- Ms. Urvashi Dhugga, Advocate for petitioner.

Ms. Manjot Kaur, AAG, Punjab.

AMARJOT BHATTI, J. (Oral)

1. Petitioner has filed instant second petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.110 dated 29.03.2022 under Sections 346, 376, 406 of IPC registered at Police Station A- Division, District Amritsar.

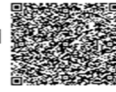
2. As per brief facts of the case, FIR No.110 dated 29.03.2022, Police Station A-Division, District Amritsar (Annexure P-1) was registered on the statement of complainant 'R'. In the said FIR, after investigation, challan was presented in the Court. Petitioner was granted regular bail in CRM-M-17129-2023 vide order dated 19.04.2023 (Annexure P-5).



However, during the pendency of the trial on 20.07.2024, petitioner could not appear and his non-bailable warrants were issued for 03.08.2024 (Annexure P-6). It is pointed out that absence of petitioner before the trial Court was unintentional. In-fact, he was arrested in another FIR No.92 dated 01.04.2024 under Section 21, 29, 61, 85 of NDPS Act, Police Station Civil Lines Batala and in that FIR he was behind the bars since 01.04.2024. Later-on, he was granted bail in the said FIR vide order dated 04.09.2024 by learned Additional Sessions Judge, Fast Track Special Court, Gurdaspur (Annexure P-8). Now he is behind the bars in the present FIR. He is ready to face the trial and will abide by the terms of bail order. Therefore, his regular bail petition may be allowed.

3. Status report has been filed. It is confirmed that after completion of investigation, challan was presented and the trial was going on in which present petitioner absented. He was in judicial custody in Central Jail, Gurdaspur. Therefore, his production warrants were issued for 01.10.2024 and the prosecution witnesses were also summoned. At present, 11 prosecution witnesses have been examined and as per status report next date before trial Court was 10.07.2025.

4. I have considered the aforesaid factual position. As per record, petitioner was marked absent on 20.07.2024 by the trial Court and his non-bailable warrants of arrest were issued for 03.08.2024. At that stage, nobody appeared for the petitioner/accused nor any application was filed for his exemption. Trial Court was not informed that he was in custody in some



other FIR. Stand taken by the petitioner is confirmed from the copy of bail order dated 04.09.2024 (Annexure P-8) vide which he was granted regular bail in FIR No.92 dated 01.04.2024 under Section 21, 29, 61 and 85 of NDPS, Police Station Civil Lines Batala. Para No.4 of this bail order indicates that petitioner Rohit @ Rahul was taken into custody on 01.04.2024 and was finally granted bail on 04.09.2024. Therefore, non-appearance of petitioner before the trial Court was unintentional as he was taken into custody in the aforesaid FIR. Trial in this case may take some time. Without commenting on the merits of the case, regular bail petition filed by the petitioner is allowed and he is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge, concerned.

5. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

06.08.2025

snd

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