

266 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-31692-2025  
Reserved on : 14.07.2025  
Pronounced on: 18.07.2025

RAMAN KUMAR ALIAS RAMAN SINGH ...PETITIONER

VERSUS

STATE OF PUNJAB ...RESPONDENT

**CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Mr. Nitish, Advocate for  
Mr. Sameydeen, Advocate for the petitioner.

Mr. Jasdev Singh Thind, DAG, Punjab.

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**ANOOP CHITKARA, J.**

FIR No.	Dated	Police Station	Sections
28	27.02.2024	City Jalalabad, District Fazilka	457/380 IPC (Section 411/413 IPC added later on)

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
2. Per paragraph 17 of the bail application and para 8 the reply/custody certificate, the accused has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1.	02	05.01.2021	379/411 IPC	City Jalalabad
2.	107	15.06.2023	379/411 IPC	City Jalalabad
3.	200	01.11.2023	379 IPC	City Jalalabad

3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

*"That the present FIR was registered on the statement of Ankush Mutneja son of Sh. Ashwani Kumar Mutneja son of Nathu Ram Mutneja, resident of Street No 5, Inder Nagri, Jalalabad, wherein he stated that he is resident of above said address and doing work as commission agent in City Jalalabad. That the son of his maternal father-in-law namely Neeraj Advocate son of Sh. Vijay Madan is resident of Ward No 2, Street Anil Kumar Vilocha Jalalabad and he is practicing as advocate in Chandigarh since last 10-12 years. He*

*regularly comes to his house at Jalalabad from Chandigarh after period of 15-20 days and went back to Chandigarh after staying for 4-5 days in City Jalalabad. At the time of leaving, he put the locks on his house. Today, on the asking of Neeraj Madan Advocate he came to his house for cleaning it. Then he saw that the lock of main gate was tampered and gate was open. On suspicion, he went inside and checked upon which found that one LED and two gas cylinders and 3-4 taps from bathroom have found to be stolen by unknown person from the house. These articles had been stolen by some unknown person and he also checking other articles of the house. It may be possible that other articles may also be stolen apart from above said articles. This incident is on intervening night of 26.02.2024 and 27.02.2024. As per statement of complainant an FIR No.28 dated 27.02.2024 U/S 457, 380 IPC as registered against unknown person at police station city Jalalabad."*

4. Counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and no specific role in the alleged offence to be committed as there is no direct evidence against the petitioner. There is a delay of 01 day in lodging the FIR. On instructions, he further submits that in case, this Court grants bail to the petitioner, he undertakes to live like a decent human being and a civilized member of the society. He further undertakes that if he is again indulged in any offence where the sentence is more than 07 years, he would have no objection if State files any application for cancellation of his bail. He further contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State's counsel opposes bail and refers to the reply.

6. It would be appropriate to refer to the following portions of the reply, which read as follows:

***"The evidence against the petitioner-***

*6. That the present petitioner committed theft by house breaking in night which corroborated with the fact that during police custody the petitioner also confessed that he has committed offence of theft by housebreaking in night in the aforesaid house which further corroborated with the fact that at the instance of present petitioner, recovery of one LED and Two Gas Cylinders effected from the place near drainage canal and recovery of Two stolen Mattresses from the house the present petitioner was effected.*

***Role of Petitioner-***

*7. That it is respectfully submitted that the petitioner is habitual offender and had committed the offence of theft on the intervening night of 26.02.2024-27.02.2024 from the aforesaid house and even he had also got recovered the stolen articles to the police party. In this way, he cannot shirk his criminal liability."*

REASONING:

7. FIR was registered against unknown persons and there is a delay of 01 day in lodging the FIR. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing. Per the custody certificate dated 13.07.2025, the petitioner's total custody in this FIR is 01 year, 04 months and 8 days. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

8. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

9. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

10. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

11. This order is subject to the petitioner's complying with the following terms.

12. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case, or dissuade them from disclosing such facts to the Police or the Court.

13. **This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.**

14. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

15. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the

downloaded copy for attesting bonds.

**16. Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

18.07.2025  
*renubala*

**(ANOOP CHITKARA)**  
**JUDGE**

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