



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

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**CRM-M-50840-2025 (O&M)
Date of Decision: 16.09.2025**

Amar Chopra

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. P.K.S.Phoolka, Advocate for the petitioner.

Mr. Amit Shukla, DAG, Punjab.

RUPINDERJIT CHAHAL, J. (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.118 dated 26.07.2025 registered under Sections 308 and 351(3) of Bharatiya Nyaya Sanhita, 2023, at Police Station Thermal Plant Bathinda, District Bathinda.

2. Brief facts of the prosecution are that the FIR was lodged on the statement of Ashok Kumar-complainant, who alleged that on 24.07.2025 at about 9.37 am, he received a threatening call on his mobile and demand of Rs.10 lacs was made in the name of Lawrence from Central Jail. The complainant enquired at his own level and he found that it was the petitioner, an ex-employee of his shop, who had made the aforesaid call.



3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He contends that the petitioner was earlier working as employee at the shop of the complainant, who did not pay his salary. Even a Panchayat was convened, wherein, the complainant refused to pay the salary and the petitioner was threatened to be involved in a false case. The petitioner is behind bars since 26.07.2025. Moreover, the petitioner has clean antecedents as he is not involved in any other case. He further submits that the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Notice of motion.

5. Learned State counsel, who has appeared on advance notice of the petition, has filed the custody certificate of the petitioner, which is taken on record. He has vehemently opposed the prayer for bail by submitting that the offence committed by the petitioner is serious in nature. However, he has not controverted the fact that petitioner is first time offender as he is not involved in any other case.

6. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 1½ months and the trial may take a long time to conclude, no useful purpose would be served by detaining him in further custody. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future would be violative of his rights



under Article 21 of the Constitution of India.

7. Reliance is placed upon in *Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131*, wherein, Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

8. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

(RUPINDERJIT CHAHAL)
JUDGE

16.09.2025
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Whether Speaking / Reasoned	Yes / No
Whether Reportable	Yes / No