



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

CRM-M-58948-2024

Reserved on: 22nd April, 2025

Pronounced on : 24th April, 2025

GURMEET SINGH @ SONU

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vaibhav Narang, Advocate for the petitioner.

Mr. Apoorv Garg, Sr. DAG, Haryana.

MANISHA BATRA, J :-

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No.86 dated 11.02.2023 registered under Sections 380, 457 of IPC (Sections 382, 201, 483 of IPC and Section 25 of Arms Act added later on) at Police Station Industrial Area, Sector 29, Panipat, District Panipat.

2. As per the allegations on the intervening night of 10/11.02.2023, some unknown persons broke the lock of ATM and removed the same, installed near petrol pump Gohana Road Panipat and had stolen a sum of Rs.24,80,500/- from the same. The matter was reported to the police by the complainant Gaurav Baisla representative of Hitachi Payment Service Private Ltd. and the aforementioned FIR was initially registered under Sections 380 and 457 of IPC. Investigation proceedings were initiated. The petitioner and co-accused Sukhwinder Singh @ Sukha, Bhupender Singh @



Sukha and Devender Singh who were arrested in another case bearing FIR No.304 registered at Police Station Industrial Sector 29, Panipat on 30.05.2023 suffered disclosure statements on 11.06.2023 admitting their involvement in this case as well. On the basis of the same, they were joined into the investigation of this case and were again interrogated. They confessed their roles in the crime and recorded disclosure statements. He also disclosed that he had received an amount of Rs.4,96,000/- out of the money stolen from the ATM and got recovered an amount of money of Rs.20,000 out of the same. Offences under Sections 201, 382 and 483 of IPC as well as Section 25 of Arms Act were added later on. The petitioner and co-accused demarcated the place of occurrence as well as the place where they had left the ATM. Investigation now stands completed and the petitioner along with co-accused is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he is in custody since long. The subject offences are triable by Magistrate. His further incarceration would not serve any purpose. The trial would take considerable time to conclude. His involvement in other case cannot be considered to be a ground for denying the benefit of bail to him. With this broad submissions, it is urged that he deserves to be released on bail.

4. Status report has been filed by respondent-State. It is argued by learned Sr. Deputy Advocate General, Haryana that the petitioner along with co-accused hatched a conspiracy and in pursuance thereof uprooted ATM of ICICI Bank, transported it to a deserted location and by using a gas cutter



broke and opened the ATM and extracted a sum of Rs.24,80,000/- from the same. The ATM was discarded in canal to destroy the evidence of offence. He is a habitual offender since four more criminal cases three of which are similar nature have been registered against him. There are chances of his absconding, tampering with evidence or intimidating the witnesses if extended benefit of bail. Therefore, it is urged that petition does not deserve to be allowed.

5. I have heard learned counsel for the petitioner as well as Learned State counsel at considerable length and have gone through the record carefully.

6. The petitioner is in custody since 01.07.2023. Out of 29 prosecution witnessess, only 16 have been examined so far meaning thereby that the trial is likely to take time. The fact that the petitioner involved in other cases cannot be considered to be a ground for denying benefit of bail to him. The subject offences are triable by Magistrate. His further incarceration would not serve any fruitful purpose. It is well settled proposition of law that bail is the rule and jail is an exception. In view of discussion as made above, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal/surety bonds to the satisfaction of learned trial Court/CJM concerned/Duty Magistrate.

[MANISHA BATRA]
JUDGE

24.04.2025

Deepak Patwal

1. *Whether spseaking/ reasoned* : *Yes / No*
2. *Whether reportable* : *Yes / No*