



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

251

**CRM-M-24257-2025 (O&M)  
Date of Decision:- 28.05.2025**

BHUPINDER KUMAR @ BHUPINDER SINGH @ CHAN MAHI

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJIV BERRY**

Present : Mr. Shivender Pal, Advocate for  
Mr. B.S. Bhalla, Advocate for the petitioner.

Mr. Durgesh Garg, AAG Punjab.

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**SANJIV BERRY, J. (ORAL)**

The instant petition has been preferred by the petitioner under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in the following case :-

<b>FIR No.</b>	<b>Dated</b>	<b>Sections</b>	<b>Police Station</b>
37	29.02.2024	326, 452, 323, 324, 506 and 34 IPC	Gate Hakima, District Amritsar

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that after having been arrested in present FIR, the petitioner was granted the concession of bail vide order dated 20.03.2024 and thereafter the petitioner was regularly appearing in the Court. However, on 29.06.2024, the



petitioner did not appear in the Court on account of the fact that the matter was compromised between the parties and he was assured by the complainant that she will move an application for withdrawal of the case, however, the complainant did not do so. He submits that the bail bonds and surety bonds of the petitioner were cancelled on 04.10.2024 and ultimately the petitioner was declared proclaimed offender on 01.03.2025. He submits that the petitioner is in custody since 12.03.2025, only on account of his absence from the proceedings and he undertakes to appear on each and every date of hearing. Thus, prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel has opposed the petition on the ground that the petitioner had intentionally absconded from the proceedings and had been rightly declared proclaimed offender. He submits that the petitioner has misused the concession of bail, therefore, he does not deserve the concession of bail.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that the petitioner, after having been arrested in the present case, was granted the concession of bail vide order dated 20.03.2024. Thereafter, as stated by learned counsel for the petitioner, the matter was compromised between the parties and the petitioner, under the impression that the complainant will withdraw the present case, did not appear in the trial Court. Subsequently, the bail of the petitioner was cancelled and his bail bonds and surety bonds were forfeited. Ultimately, the petitioner was declared proclaimed offender on 01.03.2025. Thereafter, the petitioner was again



arrested on 12.03.2025 and since then he is in custody. Admittedly, the petitioner is in custody only on account of his absence from the trial Court. Learned counsel for the petitioner has submitted that the absence of the petitioner was not intentional or deliberate and the petitioner undertakes to regularly appear in Court on each and every date of hearing, if granted the concession of bail. Challan has already been presented in the Court and the conclusion of trial, to ascertain the criminal liability, if any, of the petitioner will still take sufficient long time. In these circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

**(SANJIV BERRY)**  
**JUDGE**

**28.05.2025**

*S.Sharma(syr)*

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No