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

**CRM-M No.18992 of 2025  
Date of Decision: 15.10.2025  
Reserved on: 08.10.2025**

Jaswinder Kumar and others ... Petitioners

Versus

State of Punjab ... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Munish Gulati, Advocate,  
for the petitioners.

Ms. Sakshi Bakshi, AAG, Punjab,  
for the respondent-State.

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**MANISHA BATRA, J.**

1. The present petition has been filed by the petitioners under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") seeking regular bail in the FIR mentioned below:-

<b>FIR No.</b>	<b>Dated</b>	<b>Police Station</b>	<b>Sections</b>
119	04.09.2024	Chattiwind, District Amritsar Rural	310(2), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 (For short "BNS") and 25 and 27 of Arms Act, 1959 (111, 303(2), 238 and 317 (2) of BNS added later on)

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by complainant Sukhdev Singh alleging that he

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was having a Cold storage at Village Ibban Kalan wherein several retailers and shopkeepers used to store their dry fruits and other articles by paying rent. Some labourers and a watchman used to stay at the Cold storage. In the morning of 04.09.2024, he received an information that 20-25 unknown persons armed with weapons had entered into his Cold storage on the previous night and had taken away several sacks containing black pepper, black grams, cashewnuts, figs and dry plums etc. as stored in the Cold storage.

3. After registration of FIR, investigation proceedings were initiated. During investigation, a secret information was received that the accused Ravinder Kumar @ Raj had stored stolen dry fruits and other articles at a rented shop. Accused Ravinder Kumar was arrested on 09.09.2024. He was interrogated and suffered disclosure statement to the effect that the accused Thana Singh who was previously lodged at Central Jail, Ferozepur called him and had asked him that he could supply dry fruits at lower price and on his giving consent, the accused Thana Singh along with the petitioner No.1 Jaswinder Kumar and co-accused Lakhbir Singh, Sarabjit Singh and Parveen Singh had come to his village and had given 29 sacks of black pepper, 40 sacks of black gram, raisin and cashewnuts of different brands to him. On the basis of his disclosure statement, the above named persons were nominated as co-accused. Some stolen articles received by accused Ravinder Kumar had been got recovered at his instance.

4. Accused Thana Singh and Parveen Singh were arrested on

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10.09.2024. On their disclosure statements, the petitioner No.3 and co-accused Garry, Kaka and Daljit Singh were nominated as accused. The petitioner No.1 on his arrest suffered a disclosure statement and took names of some other accused including accused Parveen Singh at whose instance some of the stolen articles were recovered. The accused Thana Singh suffered two more disclosure statements and nominated the petitioners No.2 and 3. They were also arrested. Investigation now stands completed and challan has been presented in the Court.

5. It is argued by learned counsel for the petitioners that they have been falsely implicated in this case. They were not named in the FIR and have been implicated on the basis of disclosure statements of the co-accused which cannot be considered to be admissible in evidence. The recovery of stolen articles has already been effected from the co-accused. No recovery has been effected from them. They are in custody since long. The co-accused Ravinder Kumar and Parveen Singh have been extended benefit of bail. On parity, they too deserve to be released on bail. Their further incarceration would not serve any useful purpose. It is, therefore, urged that the petition deserves to be allowed.

6. Status report has been filed. Learned Assistant Advocate General, Punjab has argued that keeping in view the gravity of the allegations as levelled against them, the petitioners do not deserve to be extended benefit of bail.

7. This Court has considered the rival submissions.

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8. The petitioners along with the co-accused are alleged to have formed membership of an unlawful assembly and in prosecution of common object thereof, they while being armed with weapons, are alleged to have entered into the Cold storage owned by the complainant and committed theft of huge quantity of dry fruits and other articles therein. The petitioners are in custody since long. The trial is likely to take time as no prosecution witness has been examined so far. The petitioners No.2 and 3 have clean antecedents. The petitioner No.1 is stated to be involved in one more case under the provisions of Indian Penal Code. However, his involvement as such cannot be considered to be a reason for denying benefit of bail to him. No fruitful purpose is going to be served by keeping the petitioners in custody any more. Keeping in view the above discussed facts, this Court is of the considered opinion that the petition deserves to be allowed. The petition is accordingly allowed and the petitioners are ordered to be admitted to bail subject to their furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

9. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

**(MANISHA BATRA)**  
**JUDGE**

**15.10.2025**  
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Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No