



248

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

**CRM-M No.46443 of 2025
Date of decision : 28.08.2025**

Bittu

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Ankush Rampal, Legal Aid counsel
for the petitioner.

Mr. Raj Karan Singh, Asstt. A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.157, dated 12.11.2024, under Sections 303(2), 317(2) of BNS, 2023, registered at Police Station Kulgari, District Ferozepur.

2. Succinctly the facts of the case are that the police party, while on patrolling on 12.11.2024, received a secret information to the effect that Bittu (petitioner) son of Jang and Sanju @ Lali son of Krishan Lal were habitual of committing thefts. It was informed that they were waiting to sell stolen motorcycles and other stolen goods at Satiya Wala Pahariya and in case of raid, they could be apprehended along with the motorcycles and other stolen goods. On receiving the secret information, the raiding party



was constituted and reached at the place disclosed. Both the accused, namely, Bittu (petitioner) and Sanju were apprehended along with the stolen motorcycles and stolen goods. The motorcycles and stolen goods were recovered from them, thus, the FIR was registered and both were arrested on the spot. On registration of the FIR, the investigation commenced. The petitioner approached the Court of learned Sessions Judge, Ferozpur praying for the grant of bail, however after hearing both the sides and finding no merit in the same, the learned Sessions Judge, Ferozpur declined the bail application filed by the petitioner vide order dated 06.02.2025. Hence being aggrieved, the petitioner is again before this Court by way of filing the present second petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He has submitted that the petitioner has been roped in the present case on the basis of false and frivolous allegations, which has been registered on the basis of secret information. He has submitted that no recovery as alleged has been effected from the petitioner. He has submitted that as the petitioner has been falsely implicated in other cases, he has been implicated in the present case. He has submitted that the petitioner is behind bars since the date of his arrest, i.e. 12.11.2024, however there is no progress in the trial. He has submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned counsel for the State however has vehemently opposed the submissions made by counsel for the petitioner.



He has submitted that the petitioner is a habitual offender, who is involved in 09 other cases. He has submitted that the stolen motorcycles and other stolen goods of motorcycles are recovered from the petitioner. He, on instructions, has submitted that out of total 08 prosecution witnesses, no witness has been examined till date. He has produced custody certificate of the petitioner today in the Court and the same is taken on record.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that FIR in the present case has been registered against the petitioner on the basis of secret information. The petitioner is behind bars since 12.11.2024. Custody certificate produced would show that the petitioner has completed incarceration of 09 months and 15 days as on 27.08.2025. Custody Certificate further shows that the petitioner is involved in 09 other cases, however he is on bail in all the cases. Out of 08 prosecution witnesses, no witness has been examined till date. As submitted by learned State counsel, the petitioner has been declared proclaimed offender in 03 more cases, however in the present case, he has completed incarceration of more than 09 months.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

9. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of



bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case. However, if the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in this case.

28.08.2025

rittu

(RAJESH BHARDWAJ)
JUDGE

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