



CRM-M-53986 of 2025

-1-

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

231

**CRM-M-53986 of 2025
Date of Decision: 29.09.2025**

Sunny

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Kanwaljeet Singh Brar, Advocate for the petitioner.

Mr. Mohit Chaudhary, AAG, Haryana.

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.240 dated 26.05.2024 registered under Section 379-B of IPC (Section 324 of IPC added later on), at Police Station Civil Lines Sirsa, District Sirsa.

2. Brief facts of the present case are that as per the prosecution, the petitioner along with other co-accused snatched the car, mobile phone, purse containing documents driving license, ATM card, PAN Card, Aadhar Card along with cash of Rs.3,000/-, and also caused injuries to the complainant.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further contends that neither the petitioner was named in the FIR nor has committed any such

**CRM-M-53986 of 2025****-2-**

offence. He argued that as per the case of the prosecution, the accused persons in the present case had come with muffled faces and there was no occasion for the complainant to identify any of the alleged assailants. He further argued that no test identification parade was held in the present case and the petitioner has been falsely roped up without any incriminating evidence. It has also been contended that as per the prosecution, the petitioner has caused injuries to the complainant while snatching his car, phone and purse etc. However, the injuries suffered by the complainant are simple in nature. Further, co-accused Rinku, Sandeep, Mangal and Vinod alias Darling have already been granted the concession of regular bail by a Co-ordinate Bench of this Court, vide orders dated 14.02.2025, 20.03.2025, 24.04.2025, 28.05.2025, respectively. No recovery is to be effected from him. The petitioner is in custody since 25.06.2024. The investigation in the case is complete, challan stands presented and charges have also been framed. He further submits that there are total 13 prosecution witness and none has been examined till date and as such, 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 grant of bail by submitting that the offence committed by the petitioner is serious in nature. He has further submitted that the petitioner is involved in one more case meaning thereby he is a habitual offender.



CRM-M-53986 of 2025

-3-

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 01 year and 03 months; investigation is complete; challan stands presented, charges framed; prosecution witnesses are yet to be examined, and the fact that 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 a judgment in the case of ***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 her 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. As regards the submission of learned State counsel that petitioner is involved in other/one more criminal case(s), reference is placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012 (2) SCC 382*** in which, it is held that the facts and circumstances of the present case are to be seen while deciding a bail application and the bail application of the petitioner cannot be rejected solely on the ground that the petitioner is involved in other/another case(s). The relevant portion of the said judgment is reproduced herein-below:-



CRM-M-53986 of 2025

-4-

"As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."

9. 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.

29.09.2025*D.Bansal***(RUPINDERJIT CHAHAL)
JUDGE**

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