



CRM-M-664 of 2025

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

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CRM-M-664 of 2025
Date of Decision: 01.09.2025

Surjit Singh @ Surjeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Siddharth Gupta, Advocate
or the petitioner.

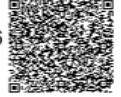
Mr. Satvir Singh Mander, AAG, Punjab.

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.0023 dated 05.11.2023 registered under Section 379-B of IPC (challan presented under Sections 379-B, 307, 411 and 201 IPC), at Police Station GRP Abohar, Govt. Rly Police, District Sri Muktsar Sahib.

2. Brief facts of the present case are that as per the prosecution, on 01.11.2023, the petitioner caused injury on the head of the complainant with an intention of kill him when he was sleeping in a train and also snatched his mobile phone.

3. Learned counsel for the petitioner contends that initially the FIR was registered against unknown persons and the petitioner has been falsely

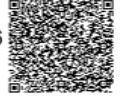
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implicated in the present case later on. Neither the petitioner has any concern with the said offence nor he was named in the FIR. He further contends that the alleged occurrence is dated 01.11.2023 and the FIR in question was registered on 05.11.2023 i.e. after an unexplained delay of 04 days. Further, the petitioner was arrested on 19.04.2024 i.e. almost after 05 months and 15 days after the registration of the FIR. The investigation in the case is complete, challan stands presented and charges have also been framed. Further, learned counsel for the petitioner has placed on record a copy of the examination of the complainant-Prince dated 25.08.2025, whereby, he has not identified the petitioner to be the person who had caused injury to him or snatched his mobile phone. He further submits that the trial may take a long time to conclude and no useful purpose would be served by keeping him behind the 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 petitioner, filed custody certificate of the petitioner, which is taken on record and while referring to the same, he vehemently opposed the prayer for bail, stating that the offence committed by the petitioner is serious in nature. However, he has not controverted the fact that the petitioner is a first time offender as he is not involved in any other case.

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 04 months, investigation is complete; challan stands presented; charges have also been framed; complainant has



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been examined who has not identified the petitioner to be the person who had caused injuries to him or snatched his mobile phone; remaining witnesses are yet to be examined and the 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. This Court is sanguine of the fact that according to the proposition settled by the Apex Court in ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his 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. 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.

01.09.2025

D.Bansal

(RUPINDERJIT CHAHAL)
JUDGE

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