



CRM-M-2366-2025 1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

214 CRM-M-2366-2025
Date of Decision: 17.02.2025

Aryan Singh alias RajaPetitioner

Versus

State of PunjabRespondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Vikas P. Singh, Advocate, for the petitioner.

Mr. Amandeep S. Samra, AAG, Punjab.

SANJAY VASHISTH , J. (ORAL)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Aryan Singh alias Raja	145	13.12.2023	379-B(2), 457, 34 IPC	Koom Kalan	Ludhiana

2. On 05.02.2025, the following order was passed:

- The instant petition has been filed under Section 483 of BNSS, 2023, for grant of regular bail to the petitioner – Aryan Singh @ Raja, who has been booked for having committed the offence punishable under Sections 379-B(2), 457, 34 of IPC, in FIR No. 145, dated 13.12.2023, registered at Police Station Koom Kalan, District Ludhiana.*
- The contention of the learned counsel for the petitioner is that there are total six cases, which have been planted against the petitioner and same are detailed in paragraph No.19 of the present petition.*



3. *Further submits that in FIR No.268, dated 09.12.2023, one accused i.e. Balwinder Singh @ Bobby, was arrested and on his disclosure statement, 3/4 other persons were also made accused.*

4. *It is thereafter, when the accused were arrested on the basis of disclosure statement, they are shown to be arrested in remaining untraced cases also. In this way, petitioner has also been dragged in the present case i.e. FIR No.145, dated 13.12.2023. In fact, petitioner is not involved in any of the cases and in FIR No.268, dated 09.12.2023, P.S. Jamalpur, Ludhiana, petitioner has already been released on bail.*

5. *Let a comprehensive status report, giving clarification, be filed by the State, as to on what basis in all other cases (as detailed in paragraph 19 of the present petition), petitioner has been implicated as an accused. List on 17.02.2025*

3. On the very outset, learned counsel for the petitioner submits that, in fact, in the previous order, it has been wrongly stated that petitioner has been granted bail in FIR No.268, dated 09.12.2023, whereas, it was to be recorded as 'FIR No.144, dated 13.12.2023'.

4. Today, learned State counsel has filed the status report dated 14.02.2025, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to learned counsel for the petitioner.

5. By referring to the said report, learned State counsel informs that in one case i.e. FIR No.268, dated 09.12.2023, one TVS Apache Motorcycle, Black Colour, was recovered on the basis of disclosure statement made by the present petitioner. Further submits that involvement of the petitioner is found to be there in this case on the basis of disclosure statement of Balwinder Singh @ Bobby (co-accused) and after arresting the petitioner



firstly in case FIR No.268, dated 09.12.2023, he is shown to be accused in other un-traced cases also, and except of the disclosure statement, there is no other substantive evidence available with the prosecution to connect the petitioner with the alleged crimes.

6. Learned State counsel further submits that petitioner is an habitual offender involved in six different criminal cases, which have also been highlighted in paragraph No. 10 of the status report, and admittedly in none of the cases, petitioner has been convicted.

7. Considering the aspect that the primary evidence available with the prosecution is the disclosure statement either of the accused or of the petitioner himself, the proving of the allegations is heavily on the prosecution. For the indefinite period accused cannot be kept behind the bars by curtailing his liberty.

8. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed here-above, I deem it appropriate to grant the concession of bail to the petitioner.

9. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. The observation made here-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected



CRM-M-2366-2025

4

to decide the case on the basis of complete evidence available on record.

12. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

17.02.2025

anil

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