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

CRM-M-10525-2025

Date of Decision: 11.11.2025

BALJIT SINGH ALIAS BABBU

..... Petitioner

Versus

STATE OF HARYANA

..... Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Nikhil Vats, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, DAG, Haryana
S.I. Vikram.

YASHVIR SINGH RATHOR, J. (Oral)

1. This is the first application under Section 483 of BNSS, 2023 for grant of regular bail in case FIR No.110, dated 29.04.2023, registered at Police Station Cheeka, Kaithal, under Sections 379-A and 34 of IPC (Challan presented under Section 379-B and 34 of IPC).

2. Learned counsel for the petitioner as well as learned State counsel have been heard and material collected by the police during investigation has been perused.

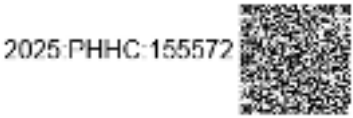
3. Present case was registered on the basis of complaint given to the police by Om Parkash @ Fauji with the allegation that on 10.04.2023, he was coming on scooter when two persons stopped him and they alleged that bag of some lady has been stolen and they wanted to conduct a search. He offered to be searched by them and thereafter, they forcibly took away Rs.2,500/- from his pocket as well as a gold ring



which he was wearing and fled away from the spot. Two accused namely Baljit Singh-petitioner and Bharat Bhushan were arrested in FIR No.146 dated 12.04.2023, under Sections 379-A and 34 of IPC, Police Station City Kaithal, wherein they suffered disclosure statements admitting having committed the offence in question and thereafter, they were joined in the investigation of the present case and arrested. The ring recovered in FIR No.146/2023 was taken into possession, which was identified by the complainant and the accused were also identified by the complainant and identification memo was prepared in this regard. After completion of investigation, final report has been presented.

4. Learned counsel for the petitioner contended that the petitioner is in custody since 24.04.2023. The offence was committed by unknown persons. No test identification parade of the accused was got conducted and rather, the accused were shown to the complainant by the police and an identification memo was prepared. Learned trial Court has rejected the bail only on the ground that he is involved in three more cases under NDPS Act but it cannot be a ground to reject bail in the present case. Learned counsel further contended that the final report has already been presented. The trial is likely to take sufficiently long time to conclude and in these circumstances, further detention of the petitioner is not required and he deserves to be released on bail. In support of his contentions, learned counsel has cited the judgment of Hon'ble Supreme Court reported as Law Finder Doc.id# 1670858 titled as "***Prabhakar Tewari Vs. State of U.P. and Another***"

5. On the other hand, learned State counsel has opposed the bail and argued that the petitioner is a habitual criminal and he is



involved in 07 other cases, including cases of snatching, NDPS and Excise Act and in view of his antecedents, he does not deserve to be released on bail.

6. Offence in question was committed by unknown persons. No test identification parade has been got conducted. Rather, the accused have been shown to the complainant by the police and the identity of the accused, thus, shall be a moot question during the trial. The petitioner is in custody since 25.04.2023. Hon’ble Supreme Court in *Prabhakar Tewari’s case* (supra), has held that pendency of several cases cannot be made a ground to decline bail and the bail application has to be decided on the basis of relevant material collected during investigation in the present case. Challan has already been presented, after completion of investigation and the trial is likely to take sufficiently long time to conclude and in these circumstances, further detention of the petitioner is not required and he deserves to be released on bail.

7. Having regard to the aforesaid factual position, but without commenting anything on the merits of the case, the bail application is allowed and petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(YASHVIR SINGH RATHOR)
JUDGE

11.11.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No