



CRM-M-17073-2025

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

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**CRM-M-17073-2025
Decided on :28.05.2025**

Harpreet Singh alias Love alias Joban

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Pragti Kumar, Advocate
for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, 2023 seeking regular bail in case FIR No.97 dated 27.07.2024, under Section 310(2) of BNS, 2023 and Section 25/27/54/59 of Arms Act, registered at Police Station Chatiwind, District Amritsar.

2. Learned counsel for the petitioner submits that, as per the allegations in the FIR lodged by the complainant, Manjit Singh, three unknown persons entered his jewellery shop, two of whom were armed with pistols. The incident of looting took place in broad daylight at approximately 3:00 p.m., in the presence of the complainant, Manjit Singh, and one Shiv Singh. The accused allegedly took away cash amounting to Rs. 50,000–60,000 and some gold items weighing

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approximately 10 grams from the locker/drawer of the complainant's shop.

It is further submitted that although the petitioner was arrested on 06.08.2024 in connection with the instant case, the recording of the statements of witnesses has not yet commenced. In fact, the proceedings are presently fixed only for framing of charges on 04.06.2025. Counsel also submits that the petitioner's involvement in this case is based solely on the disclosure statement of a co-accused, which is inadmissible as evidence in the eyes of law. There is no other corroborative evidence connecting the petitioner to the alleged offence. Considering the above, and in view of the slow progress of the trial which is likely to take considerable time, learned counsel prays for the grant of regular bail to the petitioner.

3. On the other hand, learned State counsel vehemently opposes the prayer for bail. It is submitted that the petitioner is involved in eight other cases as well, reflecting a history of criminal conduct. Further, petitioner has admitted his guilt in the instant case during his statement before the police. In light of these facts, learned State counsel submits that the petitioner is not entitled to bail, and prays for dismissal of the present petition.

4. Having heard the learned counsel for the respective parties and perusing the available record, this Court observes that while the admissibility of the petitioner's disclosure or confessional statement remains a moot point, the prosecution has not commenced recording the



statements of any witnesses till date. The petitioner is in custody since 06.08.2024, and proceedings are now fixed for framing of charges on 04.06.2025. In light of the prolonged pre-trial detention and the absence of witness testimony, this Court deems it appropriate to grant the concession of regular bail

This Court is also of the view that the petitioner deserves an opportunity to rehabilitate and reintegrate into society. Therefore, without expressing any opinion on the merits or quality of the evidence collected by the prosecution, and primarily considering the petitioner's prolonged incarceration as well as the delay in trial proceedings, this Court is of the considered opinion that the petitioner's personal liberty cannot be curtailed indefinitely.

5. Considering the aspects and circumstances, 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.

6. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

7. However, it is clarified that in the event the petitioner is found indulged in any similar unlawful activity after the grant of this bail,

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the prosecution would be at liberty to move an appropriate application for
cancellation of the present bail.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

28.05.2025
Rashmi

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*