



CRM-M-17210-2025

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

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CRM-M-17210-2025

Date of decision: 28th April, 2025

Balbir Singh @ Raja

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Lakshay Bector, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 163 dated 02.08.2017 registered under Sections 379-B, 427 and 411 of IPC at Police Station Model Town, District Ludhiana.

2. As per the allegations, on 02.08.2017, the complainant Rajesh Kumar was standing at Gill Chowk and was planing to go for his work place, when four youths riding on bikes came from the wrong side of Atma Nagar Bridge. One of them caught hold of the complainant, whereas another took his wallet and snatched his mobile phone and thereafter, all of them fled. The complainant followed them and within his sight, they had snatched belongings from driver of a car and had extended beatings to the occupant. The aforementioned FIR was registered. Investigation proceedings were



initiated. The petitioner was arrested and subsequently, he was released on bail. He absented himself from the Court proceedings. Proceedings under Section 82 of Cr.P.C. were initiated against him and he was declared a proclaimed person vide order dated 29.11.2018. He was arrested and is in custody since 09.07.2024.

3. It is argued by learned counsel for the petitioner that he is in custody since long. He could not attend the proceedings before the learned trial Court earlier since he had been attacked by some inimical elements and was threatened to be eliminated. Subsequently, he was not informed about the proceedings. He is ready to abide by terms and conditions to be imposed upon him. Accordingly, it is urged that he deserves to be released on bail.

4. Custody certificate has been filed by respondent-State. Learned Assistant Advocate General, Punjab, has argued that petitioner has misused the bail previously granted to him. There are chances of his absconding, if extended benefit of bail. He has criminal antecedents and several other cases pending against him. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner is in custody since 09.07.2024. Trial is likely to take time to conclude. Pendency of other criminal cases against him cannot be considered to be a reason for denying bail to the petitioner. Keeping in view the period of incarceration, the nature of the allegations and the attendant facts and circumstances, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds and



surety bonds to the extent of two sureties to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned. During trial, he shall appear before the Police Station on the first Monday of every month and shall mark his presence. He shall disclose his present as well as permanent address before the learned trial Court at the time of furnishing of bonds and shall also give copy of his Aadhar Card, PAN Card if any and details of his mobile phone number(s) to the learned trial Court and in case, any change in his address or mobile phone number(s) takes place, then he shall inform about the same to the learned trial Court in advance.

7. The concerned SHO shall give immediate intimation to the trial Court, if the petitioner fails to appear before him on first Monday of any month in compliance of the directions issued by this Court and on failure of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

28th April, 2025

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No