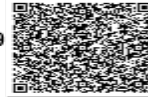


**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

2025:PHHC:075049



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CRM-M-18670-2025
Date of decision:29.05.2025

Pawan @ Shubham

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Siddarth, Advocate for the petitioner.

Mr. Neeraj Posal, AAG, Haryana.

...

Manisha Batra, J. (Oral).

1. 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.347 dated 28.12.2024 registered under Sections 309(4), 61(2) of BNS and Section 25 of the Arms Act, at Police Station Chhachhrauli, Yamuna Nagar.

2. As per the allegations, on 28.12.2024, the complainant, who was running a jewellery shop, had closed the same and was about to leave for his house when three unknown youths reached there in a bike. After extending threats to him and snatching his bag containing silver and gold items as well as cash amount of Rs.5,000/-, they escaped. On the complaint as lodged by complainant, the aforementioned FIR was registered. Investigation proceedings were initiated. During investigation, the petitioner and co-accused Pawan @ Shubham were arrested on the basis of secret

information. They were arrested and suffered disclosure statements admitting their involvement in the subject crime. They also disclosed the names of the co-accused involved in the occurrence. The petitioner got recovered 3 kgs of silver items in pursuance of his disclosure statements apart from one country made pistol and two cartridges. Offence under Section 25 of Arms Act was added subsequently. Co-accused were also arrested. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was neither named in the FIR nor any specific role has been attributed to him. A false recovery has been planted upon him. The trial will take considerable time. No recovery remains to be effected from him. His further incarceration would not serve any useful purpose. It is, therefore, argued that the petitioner deserves to be extended the benefit of bail.

4. Status report has been filed. Learned State counsel has argued that the allegations against the petitioner are serious in nature. He has criminal antecedents as he was involved in three cases of similar nature. Recovery of 3 kgs of silver has been effected from him. There is nothing on record to show that there would be any undue delay in trial. It is, therefore, urged that the petitioner does not deserve to be extended the benefit of bail.

5. I have heard rival submissions made by learned counsel for the parties and have gone through the record carefully.

6. The petitioner along with co-accused is alleged to have committed the offence of robbery/dacoity on pistol point thereby snatching money, gold and silver articles from the complainant. He is in custody since

long. He is stated to have been acquitted in other cases, which were registered against him. His involvement in other cases even otherwise cannot be considered to be a ground for denying bail to him. The trial will take time. It is well settled preposition of law that bail is the rule and jail is an exception. Keeping in view the above discussed facts but without meaning to make any comment on the merits of the case, lest the same prejudice the trial in any manner, this Court is of the considered opinion that a case is made out in favour of the petitioner to extend benefit of bail to him. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate/CJM concerned.

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

29.05.2025*harjeet***(MANISHA BATRA)
JUDGE**

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