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

CRM-M-18756-2025

Date of Decision:28.07.2025

JASPREET SINGH ALIAS KAKA

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. B.B.S. Randhawa, Advocate
for the petitioner.

Mr. Ravneet Singh Joshi, Deputy, A.G., Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 BNSS with a prayer to grant regular bail to him in case FIR No.171 dated 22.12.2016, registered under Sections 379-B IPC (offence under Section 411 added later on), Police Station City Hoshiarpur, District Hoshiarpur.

2. Learned counsel for the petitioner contends that the FIR was initially registered against unknown persons and the petitioner was falsely involved in the present case without any evidence against him. Even after his arrest, no test identification parade was held in the present case. The petitioner was earlier granted the concession of bail, however, due to some communication gap, he could not appear before the trial Court and was declared as a proclaimed offender on 09.10.2024. However, he was again arrested on



18.01.2025 and is in custody since then. Learned counsel further contends that out of 16 witnesses, only 02 witnesses have been examined so far and the trial is not likely to conclude in near future.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner was earlier granted the concession of bail, however, he had absconded from the process of law. Thus, there is a well founded apprehension that the petitioner may again escape, which may further delay the trial before the trial Court.

4. I have heard the learned counsel for the parties and perused the record carefully.

5. In the present case, the petitioner is stated to be in custody for the last more than 06 months. Further, only 02 witnesses out of total 16 witnesses have been examined so far. Moreover, the petitioner is involved in 01 more case under the provisions of Punjab Excise Act, however, he is stated to be on bail in the said case. Thus, the further custody of the petitioner will not serve any useful purpose.

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.



(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

7. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

28.07.2025
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(N.S. SHEKHAWAT)
JUDGE

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