



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

**CRM-M No.20438 of 2025 (O&M)
Date of decision: 25.04.2025**

Bikram Kali @ Vikram Kali

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Rahul Garg, Advocate for
Mr. Bharat Puri, Advocate for the petitioner.

Ms. Manjot Kaur, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Second petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) for grant of bail pending trial to the petitioner in FIR No.180 dated 05.09.2018, under Sections 379-B, 411 read with Section 34 of the Indian Penal Code, 1860, registered at Police Station Adampur, District Jalandhar Rural.

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- (2) Custody Certificate dated 24.04.2025 of the petitioner has been produced and which is taken on record. Copy thereof supplied to the opposite side. Registry to tag the same at appropriate place.
- (3) Allegations are that petitioner, along with co-accused, in furtherance of their common intention, was found in conscious possession of motorcycle bearing registration No.PB-08-DB-1139, which was stolen by them from *de facto* complainant-Harpreet Singh.
- (4) Contends that petitioner is in custody since 25.05.2020; charges were framed on 03.01.2022; but out of total 07 prosecution witnesses, only 01 has been examined till date.
- (5) The above factual position is duly acknowledged by learned State Counsel on instructions from the police official concerned.
- (6) Heard learned Counsel for the parties and perused the paper-book.
- (7) Initially, petitioner was granted bail pending trial by learned Additional Sessions Judge, Jalandhar on 06.03.2019 (P-3) and he had been regularly appearing before learned trial Court; however, on 06.06.2019 (P-4), he absented himself and his bail bonds were cancelled on that day. Petitioner was eventually declared as proclaimed offender vide order dated 09.01.2020 (P-5) and he had been re-arrested on 25.05.2020 in another FIR bearing No.30 dated 01.04.2016, registered under Sections 379, 411 IPC at Police

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Station Kartarpur, District Jalandhar Rural and is in custody in this case since 26.05.2020.

(8) Although, petitioner was declared proclaimed offender in this case; but thereafter, he has remained in custody for 05 years, 04 months and 12 days; charges were framed on 03.01.2022 and out of total 07 prosecution witnesses, only 01 has been examined till date. Therefore, trial will take sufficient long time. Moreover, it is not the objection raised by learned State Counsel that in case petitioner is released on bail, he may influence the prosecution witnesses and/or hamper the trial.

(9) In view of the above, there is no justification to prolong the incarceration of the petitioner any further.

(10) Consequently, present petition is allowed. Petitioner be admitted to bail pending trial on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(11) Petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

(12) The above observations be not construed as an expression of opinion on the merits of case.

(13) It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

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Pending application(s), if any, shall also stand disposed off.

25th April, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>