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

CRM-M-20664-2025

Date of Decision:23.07.2025

RAHUL KUMAR ALIAS MANU

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

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

Present : Mr. Naveen Batra, 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.100 dated 19.10.2024, registered under Sections 115(2), 331(6), 307 of BNS, Police Station Kiratpur Sahib District Rupnagar.

2. Learned counsel for the petitioner contends that the FIR was initially registered against unknown persons and the petitioner had nothing to do with the alleged offence. Even the petitioner was arrested in some other case and the present case was also planted on him. The petitioner was arrested in the present case on 11.12.2024 and is in custody for the last about 08 months. After completion of investigation, challan has been presented against him. However, the prosecution has not been able to examine even a single witness so far. Thus, the conclusion of the trial may take quite a long time.



3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that 03 more cases including 02 cases of 379-B IPC have been registered against the petitioner and the petition is liable to be dismissed.

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 08 months and no witness has been examined so far. The prosecution is yet to lead evidence against the petitioner to prove his involvement in the crime. However, no witness has been examined by the prosecution so far. Moreover, there is no material to indicate that the petitioner is in a position to influence the witnesses of the prosecution. 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.

(viii) The petitioner shall report every 1st Monday in English calander month before the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the Rojnamcha. In case, he does not report on every 1st Monday before the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the State of Punjab shall be at liberty to move an appropriate application in this regard.

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.

23.07.2025
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(N.S. SHEKHAWAT)
JUDGE

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