

**CRM-M-21848-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Sr. No.227****Case No. : CRM-M-21848-2025****Decided On : July 03, 2025**

Mohammad Salim
@ Mohammad Saleem

.... Petitioner

vs.

State of Punjab

.... Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

* * *

Present : Mr. S. K. Choudhary, Advocate
for the petitioner.

Mr. P. S. Pandher, AAG, Punjab.

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SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 is for grant of regular bail to the petitioner, in case FIR No.26 dated 22.02.2025, under Section 305 of the Bharatiya Nyaya Sanhita (BNS), 2023 (Sections 317(2) and 111(2) BNS added later on), registered at Police Station Sujanpur, District Pathankot.

Briefly, the case of the prosecution is that the complainant namely Sarabjit Singh made statement before the police that on 21.02.2025, at about 06:30 PM, after returning from his private job, he parked his black colour motorcycle (make Splendor), bearing registration number PB-35-AF-1622, in the courtyard of his house and after having dinner, all the family members went to sleep. On the next day i.e. 22.02.2025, in the morning at about



06:00 AM, the aforesaid motorcycle was found missing by the complainant. On inquiry, it came to the notice of the complainant that the petitioner was roaming in the street on the intervening night of 21/22.02.2025 and the complainant was sure that the petitioner had stolen his motorcycle. On the basis of this statement, the FIR in question was registered.

Learned counsel for petitioner has contended that the petitioner has been falsely involved in the present case and there is no material on record to show that the petitioner had committed theft of the motorcycle in question. No other criminal case is pending against him. He has further urged that as trial of the case is likely to take time, the petitioner be granted concession of regular bail.

While issuing notice of motion on 30.04.2025, respondent-State was directed to file Status Report and Custody Certificate, which have been filed today in the Court and the same are taken on record.

Learned State counsel, while referring to the Status Report, has opposed the bail petition while contending that some other cases are also pending against the petitioner and he is a habitual offender. So, he does not deserve the concession of bail.

I have heard the learned counsel for the parties and have also gone through the case file.

The recovery of motorcycle in question had already been effected, as per disclosure statement suffered by the petitioner on 22.02.2025. As per the Custody Certificate dated 02.07.2025, which has been placed on record, the petitioner has already undergone custody of 04 months and 05 days. Conclusion of the trial is likely to take time and no useful purpose would be



served by further detaining the petitioner behind the bars.

Accordingly, the present petition is allowed and the petitioner is ordered to be admitted on regular bail, on furnishing adequate bail bonds and surety bonds, to the satisfaction of concerned learned Trial Judge/Chief Judicial Magistrate/Duty Magistrate.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

July 03, 2025
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(SUKHVINDER KAUR)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.