



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

**CRM-M-23509-2025
Decided on : 11.11.2025**

Pinder Sodhi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Avtar Singh Bhatti, Advocate
for the petitioner.

Mr. Adesh Pal Singh, AAG, Punjab
for the respondent-State.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.0004 dated 16.01.2025 registered under Sections 420, 465, 466, 467, 468, 471 and 120-B IPC, at Police Station Sarabha Nagar, District Ludhiana.

2. The case was registered on the statement of one Sukhbir Singh-complainant, who stated that the petitioner alongwith other co-accused namely Ramdas and Pooja Rani, hatched criminal conspiracy and cheated him for huge amount of money by misrepresenting and defrauded him through forged documents.

3. Learned counsel for the petitioner contends that the petitioner has



been falsely implicated in the present case and on the date of alleged commission of crime, he was in custody in some other FIR. He further contends that the petitioner has not committed any such offence. He is in custody for the last more than 09 months. The trial may take a long time to conclude and no useful purpose would be served by keeping him behind bars. Further, co-accused Ram Dass and Pooja Rani had already been granted the concession of anticipatory bail and regular bail by a Co-ordinate Bench of this Court and by this Court vide orders dated 27.05.2025 and 26.08.2025 passed in CRM-M-8076-2025 and CRM-M-28332-2025 respectively. Therefore, it is urged that the petition deserves to be allowed.

4. Notice of motion.

5. Learned State counsel, who has appeared on advance notice of the petition, filed the custody certificate of the petitioner, which is taken on record. He has vehemently opposed the prayer for bail, stating that the offence committed by the petitioner is serious in nature. He has further submitted that the petitioner is involved in 07 more cases of similar nature meaning thereby he is an habitual offender. However, learned State counsel has not controverted the fact that out of the aforesaid 07 cases, he is on bail in 03 cases.

6. This Court is sanguine of the fact that according to the proposition settled by the Apex Court in ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle “bail is a rule” and “jail is an exception”.



7. Having heard learned counsel for the parties at length and after perusing the record of the case and the fact that the petitioner is in custody for the last 09 months and 17 days, the trial may take a long time to conclude and co-accused Ram Dass and Pooja Rani had already been granted the concession of anticipatory bail and regular bail by a Co-ordinate Bench of this Court and by this Court, no useful purpose would be served by detaining him in further custody. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future would be violative of her rights under Article 21 of the Constitution of India.

8. As regards the submission of learned State counsel that petitioner is involved in other/another case(s), reference is placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012 (2) SCC 382*** in which, it is held that the facts and circumstances of the present case are to be seen while deciding a bail application and the bail application of the petitioner cannot be rejected solely on the ground that the petitioner is involved in other/another case(s). The relevant portion of the said judgment is reproduced herein-below:-

"As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."

9. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety



bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

11.11.2025

mamta

**(RUPINDERJIT CHAHAL)
JUDGE**

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