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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.23535 of 2025
Date of Decision: 28.08.2025

Thana Singh alias Kala Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ashish Aggarwal, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
119	04.09.2024	Chattiwind, District Amritsar Rural	310(2), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) and 25 and 27 of Arms Act, 1959 (111, 303(2) and 238 of BNS added later on)

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Sukhdev Singh alleging that on the intervening night of 03/04.09.2024, 20-25 unknown persons armed

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with weapons entered inside the cold storage of the complainant and after breaking open the locks of the same, had committed theft of articles kept in the cold store after extending threats to the employees of the complainant who stayed there to take care of the cold storage. The details of the stolen articles were given in the complaint itself and it was submitted that those articles belonged to different companies and firms. After registration of FIR, investigation proceedings were initiated. The accused Ravinder Kumar @ Raja was arrested during the course of investigation. He suffered disclosure statement on the basis of which the present petitioner was nominated as an accused and was arrested on 10.09.2024. The co-accused were also arrested. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. He was not named in the FIR. No recovery has been effected from him. No test identification parade of the petitioner has been got conducted. The trial will take considerable time to conclude. His involvement in other cases cannot be considered to be a reason for denying benefit of bail to him. His further incarceration would not serve any useful purpose. The co-accused Ravinder Kumar and Parveen Singh @ Nikka have since been extended benefit of bail. On parity, the petitioner too deserves to be extended the same benefit. It is, therefore, urged that the petition deserves to be allowed.

4. Per contra, it is argued by learned Assistant Advocate General,

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Punjab that the allegations against the petitioner are grave in nature and it is, therefore, urged that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner along with the co-accused is alleged to have committed theft of articles kept in the cold storage of the complainant. He is in custody since 10.09.2024. The investigation stands completed. Trial will take time to conclude since no prosecution witnesss out of 28 witnesses has been examined so far. In the facts and circumstances as discussed above, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

28.08.2025
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(MANISHA BATRA)
JUDGE

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