

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

**CRM-M No.24893 of 2025 (O&M)
Date of decision: 13.05.2025**

Pardeep Kumar @ Bikki

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

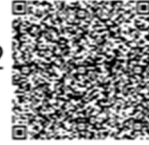
Present:- Mr. Davinder Singh Saini, Advocate for the petitioner.

Mr. T.P.S.Walia, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

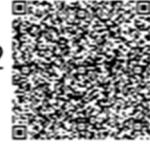
Second petition has been filed under Section 483 of the of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) for grant of bail pending trial to the petitioner in FIR No.121 dated 14.09.2024, under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023 (*for short 'BNS'*) [Section 317(2) of the BNS added later on], registered at Police Station Nangal, District Rupnagar.

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- (2) Custody Certificate dated 11.05.2025 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, committed theft of a motorcycle bearing registration No.PB-07-BK-3734.
- (4) Contends that petitioner is in custody since 14.09.2024; the case is triable by the Magistrate; after investigation, final report under Section 193 of the BNSS has already been presented on 11.11.2024; but charges are yet to be considered.
- (5) The aforesaid factual position is duly acknowledged by learned State Counsel, on instructions from the police official concerned; but he opposed the prayer while submitting that petitioner is facing other criminal cases.
- (6) Heard learned Counsel for the parties and perused the paper-book.
- (7) There is no quarrel that petitioner is in custody since 14.09.2024; offence alleged against the petitioner is triable by the Magistrate; after investigation, report under Section 193 of the BNSS has already been presented on 11.11.2024; but charges are yet to be considered; thus, trial will take sufficient long time for its conclusion.
- (8) In view of the above, there is no justification to prolong the incarceration of the petitioner any further.

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(9) 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.

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

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

(12) 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.

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

13th May, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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