



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

222

CRM-M-25990-2025
Decided on : 03.07.2025

Sonu . . . Petitioner(s)
Versus
State of UT Chandigarh . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Kulwant Singh, Advocate
for the petitioner(s).

Mr. Viren Siibal, Addl. PP, UT Chandigarh.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sonu	194	31.12.2024	305, 331(4) of BNS, 2023 [Secton 317(2) of BNS, 2023, added later on)	Sector 39	Chandigarh

2. Initially, FIR was registered with regard to the theft of gold ornaments from the house of the complainant, which were later traced to ‘Muthoot Finance Company’, where they had been pledged using the Aadhaar Card of the present petitioners as identity proof.

3. Learned counsel submits that except for the copy of the petitioner’s Aadhaar Card, which was recovered during the course of investigation from the office of Muthoot Finance Company, there is no other evidence available with the prosecution directly establishing the



involvement of the petitioner. It looks impossible that anyone, who had stolen the gold ornaments, would pledge the same with such a well-known company, using his own identity proof, i.e., Aadhaar Card. It is also contended that in fact, copy of the petitioner's Aadhaar Card has been misused by someone else, whom the police have been unable to apprehend so far.

Even on being queried by the Court, learned Additional Public Prosecutor, UT Chandigarh, also expresses his inability to substantiate the allegations, as there is nothing on record to show that it was the petitioner, who personally approached the office of Muthoot Finance Company to pledge the gold articles, using his own identity proof.

4. Learned State counsel has also filed the custody certificate dated 03.07.2025 as well as short affidavit dated 01.07.2025, in Court today, which are taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

Copies thereof have been handed over to the counsel for the petitioner.

5. Heard.

6. Petitioner is stated to be inside jail since 18.01.025 and petitioner has not been charged u/s 305 & 331(4) of BNS, 2023, rather, charges have been framed u/s 317(2) of BNS, 2023, which is maximum punishable for a period of three years.

7. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed here-above, I deem it appropriate to grant the concession of bail to the petitioner.

8. Consequently, without making any comments over the merits of



the case, the prayer for bail of the petitioners is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. The observation made here-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

July 03, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No