

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

CRM-M-31068-2025
Reserved on : 14.07.2025
Pronounced on : 28.07.2025

Manwinder Singh @ Mintu ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Ismeet Singh, Advocate
for the petitioner.

Mr. Jasdev Singh Thind, D.A.G., Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
097	18.04.2024	Sadar Kharar, District SAS Nagar, Mohali	379-B, 473, 411, 34 IPC and 25 of Arms Act

1. The petitioner incarcerated in the FIR captioned above came before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.

2. Per paragraph 7 of the bail application, there are three FIRs pending against the petitioner, however as per para 11 of the status report filed by the State, the petitioner has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1.	31	13.04.2024	379-B, 427, 34 IPC	Bassi Pathana, District Fatehgarh Sahib

3. The facts and allegations are being taken from the translated version of FIR, which reads as follows:

“Copy of Ruka, SHO Police Station Sadar Kharar, Jai Hind, today I SI alongwith ASI Amritpal Singh No.593/SAS, HC Harpreet Singh 1178/SAS CT Amritpal Singh No.2143/SAS Nagar on private vehicle for patrolling and in search of bad aliments were present near police post Majat, where at about 6.30 PM I, SI received a secret information from the informer that Harwinder Singh @ Raja S/o Harmesh Singh, R/o Village Jakhwale Adda, District Fatehgarh Sahib, Manwinder Singh @ Mintu S/o Sukhwinder Singh, R/o Village Gopalo, District Fatehgarh Sahib and Kamalpreet Singh S/o Kuldeep Singh, R/o Village Jarkhala Kheri, Near Bassi Pathana, District Fatehgarh Sahib commit robbery and snatching in connivance with each other with the help of illegal weapon, they have snatched vehicles in District Mohali on Gun Points and by affixing fake

number plates on the vehicle snatched have committed incidents of snatching in District Mohali and other Districts. On them cases of snatching are already registered. They have taken a room on rent somewhere in Mohali They usually go from Landran-Majat to District Fatehgarh Sahib. Today also they on a swift desire color white bearing no. PB-65-N-5464 armed with illegal weapon to commit some incident are roaming around Landran side. In case search is made or barricading is laid, they can be apprehended alongwith illegal weapon and from them recovery could be effected of the snatched cars and other items. The information is correct and solid. The above persons by doing this have committed the offence under section 379-B, 473, 411, 34, IPC, 25-54-59 Armed Act. Against the above persons for the said offence the above ruka in writing is sent to the police station through Amritpal Singh 2143/SAS Nagar. File number be informed."

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family. He undertakes to live like a decent human being and shall not indulge himself in any offence.
5. The State's counsel opposes bail based on instructions.
6. The trial is going on and the petitioner is in custody from the last around 01 year and 03 months and given the undertaking, this Court deems it appropriate to give him a chance to course correct.
7. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing.
8. Per paragraph 5 of the bail petition, the petitioner has been in custody since 18.04.2024. Per the custody certificate dated 13.07.2025, the petitioner's total custody in this FIR is 01 year, 02 months and 20 days.
9. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, period already undergone and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.
10. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.
11. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest

Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

12. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

13. This order is subject to the petitioner's complying with the following terms.

14. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

15. It is clarified that if the petitioner violates any bail condition, the State and/or the victim may file an application for bail cancellation before the trial court, which shall be competent to cancel the bail or add more conditions. Furthermore, if the petitioner moves for deletion or dilution of any bail conditions, the trial court is empowered to do so.

16. **This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State shall file an application for cancellation of this bail before the Sessions Court, which shall have the liberty to cancel this bail.**

17. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

18. *A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.*

19. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

28.07.2025

Jyoti Sharma

Whether speaking/reasoned: Yes

Whether reportable: No.