



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

351

CRM-M-30466-2025

Date of Decision: 15.12.2025

**HARI MOHAN ALIAS HARIMOHAN SINGH ALIAS HARI MOHAN
SINGH ALIAS JAILDAR**

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE MANISHA BATRA

Present: Mr. Surinder Singh Sohi, Advocate for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

MANISHA BATRA, J. (ORAL)

1. The present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short-‘BNSS’) by the petitioner for grant of regular bail in case arising out of FIR No.87 dated 09.06.2024, registered under Section 459 IPC (Sections 395, 397 and 201 of IPC added later on), at Police Station Naggal, District Ambala, Haryana.

2. As per the prosecution case, on the intervening night of 08/09.06.2024, three unknown persons with covered faces allegedly entered the house of the complainant, Manpreet Singh, while he was sleeping with his family members. They allegedly looted an amount of ₹1,90,000/- kept in an almirah and caused injuries to the complainant and his family members,



they escaped.

3. After registration of FIR, investigation proceedings were initiated. The petitioner along with co-accused Mohit and Rohit was arrested on 23.06.2024 on the basis of a secret information. He suffered disclosure statement admitting his involvement in the crime and also that he had inflicted injury with an iron *Khukri* on the person of the complainant. He got recovered cash amount of Rs.1500/- out of the looted amount and the weapon of offence. Remaining other accused were also arrested. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. He is in custody since long. A false recovery has been planted upon him. The trial will take considerable time to conclude. Co-accused Kuldeep Singh and Parveen have been extended benefit of bail. On parity, he too deserves to be extended the same benefit. The complainant has been examined and has not implicated him in the crime. It is therefore, urged that the petition deserves to be allowed.

5. Status report has been filed by learned State counsel and a copy thereof has been furnished to counsel opposite.

6. It is argued by learned State counsel that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserves to be extended benefit of bail.

7. I have heard rival submissions made by learned counsel for the parties.

8. The petitioner along with co-accused is alleged to have



committed the offence of dacoity by entering inside the house of the complainant and by causing injuries to him and his other family members. Annexure A-1 is copy of sworn deposition of Pala Ram, father of the complainant, who while supporting the version that an offence had been committed at his house, has not identified the petitioner as one of the assailants.

9. The petitioner is in custody since two co-accused have already been extended benefit of bail. The trial will take considerable time to conclude as only 03 out of 15 witnesses have been examined so far. The involvement of the petitioner in other cases cannot be considered to be a ground for denying the benefit of bail to him. It is well settled proposition of law that bail is the rule and jail is an exception. It is equally settled that pre-trial incarceration should not be replica of post conviction sentencing and it should also not be punitive.

10. Taking into consideration the above discussed facts, the petition is allowed and the petitioner is ordered to be admitted to bail, subject to his furnishing personal and surety bonds two sureties to the satisfaction of the learned trial Court, and further subject to the condition that he shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case. He shall appear before the learned trial Court on each and every date of hearing unless exempted by the Court. He shall surrender his passport, if any, furnish details of his mobile number(s) and Aadhaar card, and shall not change his mobile number(s) or address during the pendency of the trial.

11. It is clarified that the observations made above shall not be

construed as an expression of opinion of this Court on the merits of the case
and shall not influence the outcome of the trial in any manner.

(MANISHA BATRA)
JUDGE

December 15, 2025
Nisha-1

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