

CRM-M-30267-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30267-2025
Reserved on: 10.07.2025
Pronounced on: 31.07.2025

Jaskaran Singh @ Lovely ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

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

Mr. Jasdev Singh Thind, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
58	07.08.2021	Balianwali, Distt. Bathinda	379B, 324, 34 IPC (Later on added Section 326 IPC)

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
2. Per paragraph 14 of the bail petition, para 6 of the status report as well as custody certificate dated 09.07.2025, the accused has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1	201	13.10.2020	399/402/379B/379/411 IPC and 25/54/59 of Arms Act	Nathana
2	283	13.11.2020	379/411 IPC	Sardulgarh, Distt. Mansa
3	80	26.08.2021	392/411 IPC and 25/54/59 of Arms Act	Jhunir, Distt. Mansa
4	76	01.10.2024	21B/61/85 of NDPS Act	Cantt Bathinda, Distt. Bathinda
5	88	27.04.2023	52A of Prisons Act	Sadar Mansa
6	126	28.05.2023	52A of Prisons Act	Sadar Mansa
7	120	26.08.2021	379-B IPC	Boha, Distt. Mansa
8	176	31.10.2020	379 IPC	Jhunir, Distt. Mansa
9	248	10.10.2020	379 IPC	Sardulgarh, Distt. Mansa

3. The facts and allegations are being taken from the reply filed by the State, which

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reads as follows:

“That the brief facts of the case are as under:-

(i). Initially, the FIR in question was registered u/s 379-B, 324,34 IPC against unknown person on the statement of Palwinder Singh son of Jagjeet Singh. It was stated by the complainant that he is working as Manager in Bharat Finance Co., Rampura Phul from two years. The work of the Company to provide loan RY to the women by making small groups and the instalments are collected every week. On 05.08.2021, the complainant reached AmW Village Bhundar and collected instalments total amounting to Rs.1.50 lakhs. Complainant put the entire money in the kit and there were other documents of the Company in the said Kit. Complainant was returning back on the motor cycle which was being driven by Manjot Singh @ Jot son of Sodagar Singh. Some unknown persons armed with weapons came on the way on motor cycles and struck their motor cycle against the motor cycle of the complainant. Accused persons caused injuries to the complainant and snatched the kit containing money.”

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. Counsel further submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

5. The State's counsel opposes bail and refers to the reply.

6. It would be appropriate to refer to the following portions of the reply, which read as follows:

“ H. The role of the petitioner

The petitioner struck their motor cycle against the motor cycle of the complainant and thereafter, the accused snatched the kit containing money from the complainant. Co-accused caused injuries to the complainant. The petitioner actively participated in the commission of the crime.”

REASONING:

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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. Per paragraph 8 of the bail petition, the petitioner has been in custody since 11.12.2024. Per the custody certificate dated 09.07.2025, the petitioner’s total custody in this FIR is 06 months & 28 days. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

8. 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.

9. 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.

10. 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)	

11. This order is subject to the petitioner’s complying with the following terms.

12. 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.

13. The significant consideration for granting bail is that the Court aims to give the petitioner another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioner also abides by the assurance made on the petitioner’s behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.

14. This bail is conditional, with the foundational condition being that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State shall file an application to revoke this

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bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and as per their discretion, they may cancel this bail.

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

16. 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.

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

(ANOOP CHITKARA)
JUDGE

31.07.2025
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Whether speaking/reasoned: Yes
Whether reportable: No.