



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

269

CRM-M-39098 of 2025(O&M)

Date of decision: 29.07.2025

Manish Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL

Present: Ms. Riffi Birla, Advocate, for the petitioner.

Mr. H. S. Wadhwa, DAG, Punjab.

H.S. GREWAL, J. (Oral)

1. The petitioner is seeking regular bail under Section 483 BNSS, 2023 in case FIR No.20 dated 19.03.2025, under Sections 331(4), 331(6), 305, 61(2) of BNS, 2023 and registered at P.S. Sadar Abohar, District Fazilka, Punjab.

2. Learned counsel for the petitioner submits that the case of the prosecution is that on the intervening night of 14/15.02.2025, some unknown persons had committed theft of gold and silver ornaments in the house of the grandmother of the complainant and assaulted her while stealing Rs.20,000/- cash from a bag kept in the house. The maternal grandmother had raised suspicion on her neighbours, namely Sho Lal (father of Naresh Kumar @ Shinda) and Manish Kumar (son of Kalu Ram) only on the basis of their harsh hands. Thereafter, the name of the present petitioner was figured in the present FIR. However, the FIR has been registered in this case after a delay of 33 days. It is stated that a silver *kara* has been recovered from the petitioner but the same has not been identified by the complainant.



3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case as no specific role has been attributed to the present petitioner. He further submits that *challan* has been presented and charges have been framed. The petitioner is in custody for the last 2 months and 13 days as under trial and the trial is yet to commence, therefore, petitioner be released on bail pending trial.

4. Notice of motion.

5. Mr. H. S. Wadhwa, DAG, Punjab, accepts notice on behalf of the respondent-State. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed custody certificate of the petitioner in the Court today, which is taken on record. As per custody certificate, the petitioner is in custody for the last 02 months and 13 days.

6. I have heard the learned counsel for the parties and perused the record.

7. In view of the above submissions of learned counsel for the parties and considering the custody period undergone by the petitioner and the fact that *challan* has been presented and charges have been framed, the continuous detention of the petitioner would not serve the ends of justice. Keeping in view the facts and circumstances of the present case, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the



satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of his bail.

Pending applications, if any, shall stand disposed of.

(H.S. GREWAL)
JUDGE

29.07.2025
anil

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