



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

244

**CRM-M No.40913 of 2025
Date of decision : 5.8.2025**

Parminder Bagga**.....Petitioner****Versus****State of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Rajiv Sharma, Advocate, for the petitioner
Mr. Baljinder Singh Sra, Addl. AG, Punjab

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.144 dated 29.5.2025, under Sections 123, 318(4), 3(5), 351(3), 317(2) of Bharatiya Nyaya Sanhita, 2023, registered at Police Station Division No.7, District Ludhiana.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Statement of Neetu w/o Heera Kumar resident of villge Tingrarri Bloak, police station and Tehsil Meenapur, District Mujaaffarpur, Bihar, presently tenant at House NO 2178, Near Bikaner Sweet Shop, Sector 32A, police station Division NO. 7, Ludhiana, age about 34 years, Mobile: 83608-69110. Stated that I am resident of above mentioned address and I am working in Vardhman Mill, Chandigarh Road, Ludhiana. On dated 20-05-2025 at about 10 morning , I was going by foot to Bank, Mega Mall, Chandigarh from my house for some personal work, when I reached towards Sanjay Gandhi T-Point, main road Vardhman, then three youths



who were going by foot also met me on road and they asked the address of Shankar Hospital from me, then I said them that I don't know? Then they said me that there is black shadow on you and your husband and your child shall be died while womting with blood, but we can solve this issue. When I was leaving said place, then one youth caught hold my arm and second youth put some poison substance on my face and after smelling said poison substance I became unconscious and they controlled me in their control, and they said me that whatsoever we will ask you to bring, you will have to bring. These boys asked me to bring gold and cash whatsoever in my possession, but I denied to give them, then these persons started threatening me to kill me and they said me that if you did not give gold and cash, then your children shall be treated badly. Then I in my unconscious mind said them that my husband is sleeping in another room, I am bringing him by visiting room, but these youth denied and again started threatening me, then I while taking out gold & silver items i.e. ear rings-weighing 3 grams, gold locket-3 grams, gold nose pin amounting to Rs. 3000/-; one silver ring-weighing 6 grams and cash Rs. 8000/- from my steel box, had given these three youths, meantime my husband Heera Kumar came out from room; these youths ran away from the spot while riding in Auto-without plate number. All these persons cheated me. I told this fact to my husband and we searched these persons/ youths at our level, but these youths did not trace out till date. These persons have magic items, duplicate snakes, intoxicate/poison substance. I can identify these youths. These persons may be arrested at the earliest, so that these youths may not cheat to other persons. I, and my husband by reaching in police has got written my statement, heard it, read it, which is correct. Legal action may be taken against unknown persons. Sd/-'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 29.5.2025. Learned counsel has further argued that, assuming *arguendo*, the prosecution version is taken on its face value, the only allegation against the petitioner is of dealing with the stolen property. Learned counsel has further iterated that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further argued that the petitioner is a man aged 57 years with clean antecedents. Thus,



regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 4.8.2025 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 29.5.2025 and is in continuous custody since then. Completion of investigation as also trial, emanating therefrom in case occasion so arises, will take its own time. The rival contention raised at Bar give rise to debatable issues which shall essentially be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence. As per custody certificate dated 4.8.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of about two months and one day & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds



to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

5.8.2025
Ashwani

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