



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

(225)

CRM-M-43235-2025

DATE OF DECISION: 09.12.2025

Gurbachan @ Chota

.....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr.Puneet Pali, Advocate, for the petitioner.
Mr. Ramender Singh Chauhan, Asstt.AG, Haryana.

SUBHAS MEHLA, J (ORAL)

1. By way of the present petition, the petitioner is seeking regular bail in FIR No.75 dated 16.03.2025, under Sections 308(5), 351(3), 111(2) (a), 61(2) of BNS, registered at Police Station Naraingarh, District Ambala.

2. Learned counsel for the petitioner contended that the allegation against the present petitioner is that he sent a photo of shop of the complainant and a video of house of complainant to the co-accused who extended threat and extortion calls to the complainant and demanded Rs.1 crore. After the arrest of the present petitioner, his phone was taken into police possession and as per report filed today before this Court, the allegation is not supported by documentary evidence; present petitioner is in custody since 06.03.2025 i.e more than nine months; having clear antecedents and not involved in any criminal activity, therefore, prayer for grant of regular bail to the petitioner is made.

3. On the other, learned State counsel, placed on record report of CFSL and custody certificate of the present petitioner and opposed the petition on the ground that he is a member of gang which is involved in



house as well as picture of shop of the complainant. Hence, prayed for dismissal of the petition.

4. Heard.
5. Keeping in view the facts and circumstances of the present case; the allegation against the present petitioner is only to the extent that he sent a video of the house and picture of shop of complainant to the extortionist; present petitioner is in custody for the last more than nine months; investigation qua him is already complete and challan has already been presented; trial will take sufficient time to conclude; as per the custody certificate he is not involved in any other criminal activity; perusal of reply also shows that he is not involved in any criminal activity and stated to be a first time offender; no fruitful purpose would be served by keeping him in custody for any further period as concession of bail cannot be denied just as measure of punishment as culpability of the accused will be decided at the final stage by the trial Court after appreciating the evidences adduced by both sides and it is trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.
6. 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 bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

09.12.2025
mamta

(SUBHAS MEHLA)
JUDGE

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