



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

237

CRM-M-43783-2025

Date of decision: 19th August, 2025

Parwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Manish Gilhotra, Advocate for the petitioner.

Mr. Roshandeep Singh, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 218 dated 28.11.2024 registered under Sections 115(2) and 304(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 323 of BNS added later on) at Police Station Dirbha, District Sangrur.

2. As per the allegations, on 08.11.2024, the complainant Hamir Kaur was sitting in the street abutting her house, when two persons came on a motor bike and snatched her gold earrings. Her right ear was damaged. Both of them immediately escaped from the spot. She raised alarm and her neighbours had reached at the spot. While alleging that she could identify the culprits, she prayed for taking action. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on



12.12.2024. He suffered disclosure statement admitting his involvement in the crime. Co-accused was also arrested. Investigation now stands completed and the petitioner along with the co-accused is facing trial for commission of the aforementioned offences.

3. 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. Co-accused has been extended benefit of regular bail. On parity, he too deserves to be released on bail. No recovery has been effected from him. His further incarceration would not serve any useful purpose. It is, therefore, argued that he deserves to be released on bail.

4. Custody certificate has been filed. Learned Assistant Advocate General, Punjab, has advance notice of the petition and is ready to argue the matter. Learned Assistant Advocate General, Punjab, has argued that keeping in view the gravity of the allegations and the fact that the petitioner is a habitual offender being involved in more criminal cases, it is, urged that he does not deserve to be released on bail.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner is alleged to have snatched gold earrings of the victim while causing injury on her right ear. He has been in custody since 12.12.2024. Investigation stands completed. Trial will take time to conclude. The involvement of the petitioner in other cases cannot be considered to be a reason for not allowing the benefit of bail to him. He is on bail in those cases. It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the above discussed facts and circumstances but



without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds and surety bonds by two sureties to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned. He shall appear before the concerned Police Station once on the first Monday of every month. He shall disclose his present as well as permanent address before the learned trial Court at the time of furnishing of bonds and shall also give copy of his Aadhar Card, PAN Card if any and details of his mobile phone number(s) to the learned trial Court and in case, any change in his address or mobile phone number(s) takes place, then he shall inform about the same to the learned trial Court in advance.

7. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

19th August, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*