



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

219

CRM-M No.45405 of 2025 (O&M)

Date of Decision:25.09.2025

Rinku**.....Petitioner****Versus****State of Punjab****..... Respondent****CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH****Present:** Mr.Lakhwinder Singh Dandiwal, Advocate for the petitioner.

Mr. Eklavya Darshi, DAG, Punjab.

SURYA PARTAP SINGH, J. (Oral):

For the commission of offence punishable under Sections 310(4), 310(5), 191(3) of BNS and 21 of NDPS Act, the FIR No.48 dated 17.05.2025, has been lodged in Police Station City Bareta, District Mansa. The petitioner has been arrested in the above mentioned case as an accused. Since the petitioner is in custody, he has filed the present petition for the benefit of bail. This is first petition under Section 483 of BNSS for grant of bail.

2. In nut-shell, the facts emerging from the record are that the FIR of this case came into being in response to an information memo sent by ASI Avtar Singh. According to above named police officer a team headed by him was on patrolling duty on village Kulrian link road, village Dharampura, when he got a tip-off that 17-18 persons including the petitioner were sitting on a tube-well in village Dharmapura and they were armed with various weapons and planning to commit robbery. According to above named police officials,



finding the information trustworthy, he visited the place along with the accompanying police officials and found that three two wheelers and one swift car had been parked there. As per prosecution, the police team conducted the raid and arrested the persons present there, including the petitioner.

3. According to prosecution since all the persons were armed with deadly weapons and they were planning to commit robbery, FIR for the commission of offence punishable under Sections 310(4), 310(5), 191(3) and 190 of BNS has been lodged and the persons present on the spot, duly arrested.

4. The learned State Counsel has filed custody certificate of the petitioner along with status report by way of affidavit of Superintendent of Police, Sub Division Budhlada, District Mansa. The same be taken on record. However, no formal reply has been filed by the State and learned State counsel has opted to oppose the present petition orally.

5. Heard.

6. It has been contended by learned counsel for the petitioner that the petitioner is in custody for a period of more than 4 months, and that the trial is not likely to be concluded in near future. According to learned counsel for the petitioner, the petitioner has no criminal antecedents. It has also been argued by learned counsel for the petitioner that nothing is left to be recovered from the possession of petitioner and that release of the petitioner on bail is not likely to cause any prejudice to the prosecution case.

7. Per contra, the learned State counsel has argued that there are direct, specific and categorical allegations against the petitioner, with regard to his involvement in the commission of offence, and that if released on bail he is



likely to indulge in similar kind of activity. According to learned State counsel the nature of offence is so grievous that the petitioner is not entitled for the benefit of bail.

8. The record has been perused carefully.

9. A careful perusal of record shows that in the present case there are several relevant factors which are required to be taken into consideration before arriving at any decision with regard to instant bail petition:-

- i) that the petitioner has already suffered sufficient incarceration for being in custody for a period of more than 4 months days;
- ii) that nothing is left to be recovered from the possession of the petitioner;
- iii) that the trial is not likely to be concluded in near future;
- iv) that the petitioner has clean criminal history and as per custody certificate, the petitioner has been prosecuted only for one offence of simple hurt and in that case he has been acquitted;
- v) that detention of the petitioner behind the bar is not likely to serve any purpose;
- vi) that there is nothing on record to show that if released on bail, the petitioner is not likely to tamper with the evidence.

10. Taking into consideration the cumulative effect of all the aforesaid factors, it is hereby held that the petitioner is entitled for the concession of bail and the present petition deserves to be allowed.

11. The same is hereby allowed accordingly and the petitioner is



admitted to bail subject to his furnishing bail bonds to the satisfaction of the learned trial Court.

12. It is, however, made clear that any observation made here-in-above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

(SURYA PARTAP SINGH)
JUDGE

25.09.2025
Manoj Bhutani

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