



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

CRM-M-46147-2025

Date of Decision: 27.11.2025

SADAB

..... Petitioner

Versus

STATE OF HARYANA

..... Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Jashan Singh Sekhon, Advocate
for the petitioner.

Ms. Vasundhara Dalal Anand, Sr. DAG, Haryana.

YASHVIR SINGH RATHOR, J. (Oral)

1. This is the first application under Section 483 of BNSS, 2023 for grant of regular bail in case FIR No.464, dated 04.12.2024, registered at Police Station Kotwali, District Faridabad, under Sections 331(4), 305 of BNS, 2023 (Section 3(5), 111(2) and 317(2) of BNS, 2023 added later on).

2. Learned counsel for the petitioner as well as learned State counsel have been heard and material collected by the police during investigation has been perused.

3. The present case was registered on the basis of the statement given to the police by Yograj Gulati with the allegations that he owns one shop with the name of New Krishna Electricals. On 03.12.2024, he closed the shop and went home at 9.00 pm and on the next day, the



shutter was found lifted from the middle area and when he entered the shop, he found that 25–30 bundles of cropper wire and approximately 60–65 copper reels of different sizes, weighing about 200–250 kg and 2 room heaters had been missing and he sought action against the culprits. With these allegations, a formal FIR was registered. The matter was investigated. One Rizwan was arrested on 08.12.2024 on the basis of secret information and the offence under Section 3(5) of BNS, 2023 was added in the present case. He disclosed that he had sold the stolen articles to one scrap dealer namely Monis. Thereafter, Nurul and Sohail were arrested on 03.01.2025 and they got recovered some amount obtained by them after selling the stolen articles. The offence under Section 111(2) of BNS, 2023 was added as the accused were found to be involved in the commission of crime in an organized manner. Accused Bipin was arrested on 23.01.2025. Thereafter, the challan against accused Rizwan, Nurul, Sohail and Bipin was presented in the Court. Thereafter, accused Sadab was arrested on 16.06.2025 and he demarcated the place of occurrence. Thereafter, accused Monis was arrested on 17.06.2025 and the offence under Section 317(2) of BNS, 2023 was also added and he got recovered a sum of Rs. 18,500/-. The challan against petitioner Sadab and co-accused Monis was also presented in the Court on 07.07.2025.

4. As per the status report furnished by the police, the role of petitioner-Sadab is that he along with other accused, had committed the theft and the stolen goods were transported in one XUV vehicle No. UP-14-CP-0029 which was taken on rent and the said car was got recovered by co-accused Bipin. The petitioner was named as an accused by the

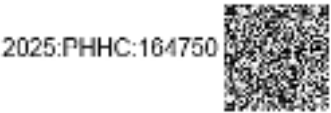


main accused Bipin in his disclosure statement.

5. Learned counsel for the petitioner contended that the petitioner has been falsely implicated. His name has cropped up in the disclosure statement of co-accused Bipin, which is not admissible in evidence. No stolen property has been recovered from his possession and as such, there is no material on the file to connect him with the alleged offence. The petitioner is in custody since 16.06.2025. The challan has already been presented, after completion of investigation. The trial is likely to take a sufficiently long time to conclude and in these circumstances, further detention of the petitioner is not required and he deserves to be released on bail.

6. On the other hand, learned State counsel has opposed the bail and argued that petitioner has committed a heinous offence and in view of the gravity of the offence, he does not deserve the concession of bail.

7. No one has been named in the FIR and the theft was committed by unknown persons. After accused Bipin was arrested, he nominated the petitioner as an accomplice and thereafter, the petitioner was arrested on 16.06.2025. No stolen article has been recovered from his possession. As to how much evidentiary value will be attached to the disclosure statement of the co-accused and the own disclosure statement of the petitioner shall be the subject matter of trial. Not a single witness has been examined till date and the trial will certainly take a long time to conclude. It is well settled that bail is the rule and jail is an exception and pre-trial incarceration cannot be used as a tool to punish an offender. The petitioner, thus, deserves to be released on bail.



8. Having regard to the aforesaid factual position, but without commenting anything on the merits of the case, the bail application is allowed and petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(YASHVIR SINGH RATHOR)
JUDGE

27.11.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No