



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

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**CRM-M-45895-2025(O&M)
Date of Decision: 17.09.2025**

Sandeep Singh @ Sandy

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: - Mr. Jaskirat Singh Dhaliwal, Advocate
for the petitioner.

Mr. Amit Shukla, DAG, Punjab.

RUPINDERJIT CHAHAL, J.

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.60 dated 29.04.2025 registered under Sections 303(2), 317(2) and 111(1) of Bharatiya Nyaya Sanhita, 2023, at Police Station Nathana, District Bathinda.

2. Brief facts of the prosecution are that on the basis of a secret information, a police picket was set up. A motorcycle was intercepted, which was being driven by Sandeep Singh @ Sandy (petitioner) and co-accused Sukhdeep Singh @ Gaggi was the pillion rider. On inquiry, they could not produce any document regarding ownership of the said vehicle.



3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He submits that the contents of the FIR itself does not fulfill the ingredients to bring the offence within the ambit of Section 111 of the BNS as the petitioner is not a member of any 'Organised Crime Syndicate'. There is no other case for the same offence ever registered against the petitioner. The petitioner is behind bars since 29.04.2025. The investigation in the case is complete and final report under Section 193 BNSS has been submitted on 25.06.2025. He further submits that the trial will take a long time to conclude, as yet, even charges have not been framed and no useful purpose would be served by keeping the petitioner behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has filed the custody certificate of the petitioner and the status report, which are taken on record. He has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the allegations against the petitioner are serious in nature as he is involved in stealing and selling of stolen vehicles. He has further submitted that the petitioner is also involved in multiple other cases meaning thereby he is an habitual offender.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 4½ months; investigation is complete; challan stands presented, and the fact that trial may take a long time to conclude, no useful purpose would be served by detaining him in further custody. Keeping the



petitioner in further detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein, Hon'ble Apex Court has held that keeping somebody behind bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

7. As regards the submission of learned State counsel that petitioner is involved in other/another case(s), reference is placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012 (2) SCC 382*** in which, it is held that the facts and circumstances of the present case are to be seen while deciding a bail application and the bail application of the petitioner cannot be rejected solely on the ground that the petitioner is involved in other/another case(s). The relevant portion of the said judgment is reproduced herein-below:-

"As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."



8. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

September 16, 2025
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(RUPINDERJIT CHAHAL)
JUDGE

Whether Speaking / Reasoned	Yes / No
Whether Reportable	Yes / No