

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:123909



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CRM-M-49097-2025 (O&M)

Date of decision:09.09.2025

Sumitpreet Singh @ Sanna

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Kuldeep Singh Saini, Advocate for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. 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.163 dated 25.06.2025, registered under Section 52-A of the Prisons Act and Sections 329(3), 329(4), 62, 61(2) of the BNS, at Police Station City Rupnagar, District Rupnagar.

2. The aforementioned FIR was registered on the basis of complaint lodged by Superintendent of Jail, Ropar on 25.06.2025, alleging that an official of the jail had caught one unknown person, who was trying to throw some prohibited items inside the jail premises while standing near Gate No.2 of the jail. The said person was apprehended. His personal mobile phone was seized. Two bags of fake IDs and sim card were recovered from him. On asking, he disclosed his name as Ranjit Singh and also that he had

been asked by the present petitioner, who was lodged in jail to provide fake IDs to him. On the basis of this disclosure, the present petitioner was nominated as accused in this case. Investigation proceedings were initiated. He was arrested and is in custody since 25.06.2025. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 25.06.2025. The trial will take considerable time. The ingredients of subject offences are not attracted against him. His further incarceration would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

4. Notice of motion.

5. Learned State counsel has advance notice of the petition. He has placed on record custody certificate of the petitioner and is ready to argue the matter. It is submitted by him that the petitioner is a habitual offender as apart from this case, 07 other cases have been registered against him. There are chances of his committing similar offences, if extended benefit of bail. It is, therefore, urged that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by learned counsel for the parties.

7. The petitioner is alleged to have entered into a conspiracy with the co-accused, who on his asking had made an attempt to criminally trespass into the jail premises and to throw fake ID cards so that the same could be given to the petitioner. It is a debatable issue as to whether the ingredients for offences punishable under Sections 329(3) and 329(4) read with Section 62 of the BNS are attracted qua him or not? Since it was not the

petitioner, who is alleged to have made any attempt to trespass into the jail building since he was already lodged therein. Petitioner is in custody since 25.06.2025. No fruitful purpose is going to be served by keeping him in custody anymore in connection with this case. The trial will of course take time. His involvement in other cases cannot be considered to be a ground for denying benefit of bail to him in this case.

8. Keeping in view the above discussed facts, this Court is of the considered opinion that this petition deserves to be allowed. Accordingly, the same is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/learned Chief Judicial Magistrate/Duty Magistrate concerned.

9. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

10. Since the main petition has been disposed of, pending application, if any, is rendered infructuous.

09.09.2025*harjeet***(MANISHA BATRA)
JUDGE**

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