



CRM-M-49651-2025

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

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CRM-M-49651-2025
Decided on :11.09.2025

Sandeep alias Shona

. . . Petitioner(s)

Versus

The State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Chetan Goyal, Advocate for the petitioner.

Mr. Bareen Pratap Singh, Asst. A.G., Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.217 dated 30.08.2023, under Sections 379-B(2) and 34 IPC (Section 411 IPC added later on), registered at Police Station Sahnewal, District Ludhiana.

2. Learned counsel for the petitioner contends that petitioner has been falsely implicated in the instant case, as well as in three other cases, all of which, surprisingly, were registered against the petitioner in the year 2023. The details of these FIRs are as follows:

i) FIR No. 166/2023 under Sections 379/34 IPC, PS Division No. 6, Ludhiana (petitioner is on bail);



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ii) FIR No. 222/2023 under Section 379-B IPC, PS Sahnewal, Ludhiana (petitioner is on bail);

iii) FIR No. 2/2023 under Section 307 IPC, PS Daba, Ludhiana (petitioner is on bail).

Counsel further submits that as per the case of the prosecution, after assaulting complainant-Jitu Kumar, accused persons (not named in the FIR) snatched his motorcycle on 27.08.2023, and the FIR was registered belatedly on 30.08.2023. It is thus argued that due to the failure to arrest the actual accused, false implication of the petitioner cannot be ruled out.

Counsel also contends that the complainant has failed to come forward for recording his statement and for establishing the identification of the petitioner despite being granted ample opportunities, to support this submission, counsel refers to the zimni order dated 05.08.2025, annexed as Annexure P-4 to the petition, and even on the subsequent date, i.e., 30.08.2025, complainant did not appear to depose in the case. Counsel further submits that petitioner has undergone incarceration for a period of two years and six days and, therefore, prays for the grant of regular bail to the petitioner.

3. Learned State Counsel, while producing the custody certificate, confirms that total period of incarceration is two years and six days. It is further submitted that petitioner is involved in other criminal cases and, therefore, is not entitled for bail. Admittedly, all four other cases were registered in the year 2023. However, it is an admitted

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position that petitioner has not been convicted in any of these cases till date. Learned State Counsel contends that the petitioner's involvement in several ongoing criminal proceedings indicates a pattern of alleged criminal conduct, which necessitates the continuation of custody to prevent any risk of tampering with evidence or influencing witnesses, thus, prays for dismissal of present petition.

4. Having heard learned counsel for the parties and perused the record, this Court noticed that petitioner has undergone incarceration for a considerable period of two years and six days without any conviction in any of the case. Moreover, complainant has repeatedly failed to appear for recording of the statement, which has caused undue delay in the proceedings. Furthermore, petitioner faces allegations in multiple cases registered within a short span, yet no substantive progress has been made to establish guilt beyond reasonable doubt. Considering the circumstances, the nature of the offences, and the overall conduct of the trial so far, this Court is of the view that the petitioner is entitled to the concession of bail.

Consequently, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

5. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case.

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Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

6. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

11.09.2025*Rashmi*

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*