



202 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-54789-2025
Date of decision: 28.11.2025

PARGAT SINGH

....Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. D.S. Nigha, Advocate for the petitioner.

Mr. Gorav Kathuria, DAG, Punjab.

YASHVIR SINGH RATHOR. J.(Oral)

1. This is the first petition under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.41 dated 19.02.2024, registered under Sections 395, 506 and 120-B of IPC and Sections 25/27/54/59 of Arms Act, 1959 at Police Station Sahnewal, Police Commissionerate Ludhiana.
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. As per prosecution case, complainant namely Shainder Shah was sitting in his shop when 2/3 unknown persons persons armed with pistols came there. They snatched his wallet containing about ₹15,000–20,000 as well as ₹85,000/- lying in the drawer and ran away. They had kept their faces covered while two of their companions were standing outside. Thereafter, he informed his



friend namely Vikas and inquired at their own level and came to know about the name of one of those persons as Pargat Singh and his companion Rinku Singh. Petitioner was arrested on 20.02.2024. Co-accused Rinku Singh, Durgesh Tiwari and Surjit Singh were also arrested and after completion of investigation, final report has been presented in the Court for trial.

4. Learned counsel for the petitioner contended that petitioner is in custody since 20.02.2024. Offence in question was committed by unknown persons, who had kept their faces muffled. No test identification parade of the petitioner has been got conducted by the police after his arrest and rather, he was shown to the complainant. Out of 11 witnesses cited by the prosecution, not a single witness has been examined till date. The trial is thus likely to take a long time to conclude and further detention of the petitioner is not required and he may be released on bail.

5. On the other hand, learned State counsel has opposed the bail and has sought its dismissal on the ground of gravity of the offence and the fact that petitioner will try to win over the witnesses in case he is released on bail.

6. Offence in question was committed by unknown persons, who had kept their faces covered. The effect of withholding of test identification parade shall be the subject matter of trial. Petitioner is in custody since 20.02.2024. After completion of investigation, challan was presented but not a single witness has been examined till date. The trial is thus not likely to be concluded in the near future. 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 and no useful purpose will, thus, be served by detaining the petitioner in custody anymore and he



deserves to be released on bail.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail bond and surety bond to the satisfaction of learned Trial Court/Duty Magistrate concerned.

8. Pending misc. application(s), if any, shall also stand disposed of.

28.11.2025
Priyanka Thakur

(YASHVIR SINGH RATHOR)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No