



CRM-M-51905 of 2025

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

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CRM-M-51905 of 2025
Date of Decision: 19.09.2025

Harmeet Singh alias Bittu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Sukhwinder S. Dhillon, Advocate for the petitioner.

Mr. Amit Shukla, DAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

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.254 dated 19.10.2022 registered under Sections 457, 380 and 413 of IPC, at Police Station Lambi, District Sri Muktsar Sahib.

2. Learned counsel for the petitioner contends that the present FIR was registered on 19.10.2022 and the petitioner was granted concession of regular bail by the trial Court, vide order dated 05.12.2022. The petitioner continued to appear regularly before the trial Court on each and every date, however, on 05.03.2024, the petitioner could not appear before the trial Court due to miscommunication as the Clerk of his counsel wrongly informed him that he has been acquitted in the case. Relying upon this, the



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petitioner went to Rajasthan for labour work. He further argued that the petitioner was declared proclaimed offender on 11.02.2025 and was arrested on 04.06.2025 and since then, he is in judicial custody. He further submits that the trial will take a long time to conclude and no useful purpose would be served by keeping him behind the bars. Therefore, it is urged that the petition deserves to be allowed.

3. Notice of motion.

4. Learned State counsel, who has appeared on advance notice of the petition, has filed the custody certificate of the petitioner, which is taken on record. He has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature.

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 03 months. The offences in which the FIR has been registered against the petitioner are triable by Magistrate. No useful purpose would be served by detaining the petitioner in further custody as the trial may take a long time to conclude. 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 the bars, till his guilt is proved, for an indefinite period amounts to infringement of her 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*

**CRM-M-51905 of 2025****-3-***exception”.*

7. 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.

19.09.2025*D.Bansal***(RUPINDERJIT CHAHAL)
JUDGE**

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