



CRM-M-53385-2025

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-53385-2025

Date of decision: 26.09.2025

RAJNISH KUMAR

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE **SUBHAS MEHLA**

Present: Mr. Hitesh Kumar Sammi, Advocate
for the petitioner.

Mr. Nitesh Sharma, DAG Punjab

SUBHAS MEHLA, J (Oral):

1. By way of the present petition, the petitioner is seeking regular bail in FIR No.0330 dated 28.07.2024 under Sections 309(4), 310(2), 308(2), 331(6), 111, 190, 191, 238, 234(2) of BNS, 2023 (Section 61(2) of BNS, 2023) registered at Police Station Zirakpur, District SAS Nagar, Mohali.

2. Learned counsel for the petitioner contended that the petitioner is falsely involved in this case. He further contended that his name was not figured in the initial complaint and the co-accused has already been granted the concession of regular bail by the Coordinate Bench of this Court on 04.08.2025 passed in CRM-M-40619-2025. Furthermore, the petitioner is a young boy of 19 years and is not involved in any other criminal activity, except the present case and he is in custody since 31.07.2024. Learned counsel further submitted that if he will be kept behind the bars for longer time, his future prospects will be



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ruined.

3. Notice of motion.

4. Mr. Nitesh Sharma, DAG, Punjab, accepted notice on behalf of the respondent-State and produced the custody certificate of the petitioner, which is taken on record. Learned State counsel very fairly admits that the case of the petitioner is on the same footing as the case of co-accused, who has already been granted the concession of regular bail by this Court.

5. Heard.

6. Keeping in view the facts and circumstances of the case and the fact that the investigation qua the present petitioner has already been completed; the petitioner is young boy of 19 years of age; the petitioner is in custody since 31.07.2024 i.e. for the last more than one year and two months; there is no material on record to show that he is involved in some other case except the present one as admitted by learned State counsel; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as measure of punishment and it is trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. Nothing observed hereinabove shall be construed to be expression of an opinion by this Court on merits of the case. The learned Court below is



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directed to proceed with the matter on its own merits, lest it may prejudice the trial.

(SUBHAS MEHLA)
JUDGE

26.09.2025
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- 1. Whether speaking/ reasoned : Yes /No
- 2. Whether reportable : Yes /No