



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

218

CRM-M-56456-2024 (O&M)**Date of Decision: 11.02.2025**

Arif Ali alias Arif

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Puneet Sharma, Advocate for the petitioner.
Ms. Avneet, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for seeking bail pending trial in FIR No. 22 dated 09.02.2024, registered under Sections 382, 399, 473 of Indian Penal Code, 1860 and Sections 6 and 25 of Arms Act, 1959, at Police Station City Rajpura, District Patiala.

2. Allegations are that petitioner alongwith other co-accused made preparation for committing dacoity and was found in possession of illicit weapons without any permit/license.

3. Learned State counsel has produced custody certificate dated 10.02.2025, which is taken on record. Registry to tag the same at appropriate place.

4. Learned counsel contends that petitioner is in custody since 09.02.2024 and after remaining in custody for about 11 months, was granted interim bail by this Court on 08.01.2025. Also contends that co-accused, namely, Prince Nagi @ Rupesh and Mohammad Sahil have already been

granted bail pending trial by the Co-ordinate Bench on 05.11.2024 (P-2).



Further contends that charges have also been considered, but no prosecution witnesses have been examined till date.

5. *Per contra*, learned State Counsel, on instructions from quarter concerned, has acknowledged the above factual position and while making reference to the custody certificate dated 10.02.2025, she apprised the Court that there is no other criminal case pending against the petitioner.

6. Heard learned counsel for both the sides and perused the paper book.

7. This Court granted interim bail to the petitioner on 08.01.2025 in the following manner:-

“ Status report by way of affidavit dated 07.01.2025 of Mr. Manjit Singh, PPS, Deputy Superintendent of Police, Circle Rajpura, Disrict Patiala on behalf of respondent has been filed and the same is taken on record. Copy supplied to the other side.

Registry to tag the same at appropriate place.

Learned counsel for the petitioner contends that co-accused namely Prince Nagi @ Rupesh and Mohamman Sahil have already been granted bail by the Coordinate Bench of this Court on 05.11.2024 (P-2).

Learned State counsel seeks time to verify the pendency of other cases against the petitioner.

Posted for 11.02.2025.

In the meanwhile, petitioner be released on interim bail in the present case, till the next date of hearing, on furnishing adeqauate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.”

8. Learned State counsel has duly acknowledged that petitioner is regularly appearing before learned trial Court. In such a scenario, sending the petitioner to custody at this stage would not serve any purpose.

9. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 08.01.2025, is made absolute. He shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.



10. Petitioner shall appear on each and every date of hearing, as well as to fully co-operate with learned trial Court without seeking any unnecessary adjournment(s).
11. The above observations be not construed as an expression of opinion on the merits of the case.
12. It is clarified that in case there is any misuse of concession by the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

11.02.2025
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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