

2025:PHHC:175199



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

247

CRM-M No.57230 of 2025
Date of Decision: 15.12.2025

Mandeep Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Hitesh Chopra, Advocate,
for the petitioner (through Video Conferencing).

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
01	08.01.2025	State Operations Fazilka, Intelligence (CID)	Special Cell, District Wing 303(2), 341(2), 317(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) and 25 of Arms Act, 1959 and 4 and 5 of Explosive Substances Act, 1908

2. As per the allegations, on 08.01.2025, a secret information was received to the effect that the accused Jagtar Singh @ Jagga and Jashanpreet @ Jashan had relations with anti national elements and were

2025:PHHC:175199



indulged in illegal and terrorist activities. It was also informed that they were planning to cause an explosion by using RDX on some police station and upon some police officials and officers. It was also informed that the accused Jagtar Singh was carrying illicit arms/ammunitions in stolen vehicle and was going towards Ferozepur from Mallanwala. Believing the secret information to be true, a ruqa was sent for registration of FIR. A barricade was laid at Ferozepur Mallanwala road. The accused Jagtar Singh @ Jagga was apprehended with a stolen motorcycle. He was interrogated and suffered disclosure statement admitting his involvement with the co-accused Jashanpreet Singh and that the stolen motorcycle was also arranged by the accused Jashanpreet in pursuance of a conspiracy to attack some police officials and to cause blast on some police station. The accused Jashanpreet Singh was arrested. He suffered disclosure statement and got recovered one hand grenade. During further investigation, it was revealed that the recovered hand grenade was concealed by accused Nishan Singh in connivance with accused Jashanpreet. Investigation revealed that an amount of Rs.20,000/- was transferred by the present petitioner in the bank account of Akashdeep Singh son of the above named Nishan Singh for arranging a motorcycle for anti national activities as per the directions of accused Nishan Singh. The petitioner who was already confined in Central Jail, Hoshiarpur in connection with some case was as such nominated as an accused. He was joined into investigation of this case and had been formally arrested on

16.04.2025. Investigation now stands completed.

2025:PHHC:175199



3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. No incriminating article has been recovered at his instance. He has been involved only on the basis of one transaction of amount of Rs.20,000/- in which his UPI Id is used. He has not been named by any co-accused. No specific act has been attributed against him. No concrete evidence has been collected against him. He is in custody since long. His involvement in another case cannot be considered to be a reason for denying benefit of bail to him. The trial will take considerable time to conclude. With these broad submissions, it is urged that he deserves to be extended benefit of bail.

4. Per contra, learned Assistant Advocate General, Punjab in terms of the status report and custody certificate has argued that there are serious allegations against the petitioner. An amount of Rs.20,000/- had been transferred from his bank account in the account of son of the co-accused Nishan Singh which was for purchase of stolen motorbike that was to be used for committing anti national offences. The trial has commenced and there is nothing on record to show that there would be any undue delay in conclusion of the trial. It is, therefore, argued that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner has allegedly transferred an amount of Rs.20,000/- in the bank account of Akashdeep Singh son of Nishan Singh who has been nominated as an accused. As per the allegations, this amount

2025:PHHC:175199



of money was transferred for the purpose of arranging a stolen motorbike. The petitioner has not been named by any of the co-accused. It is only on thorough assessment of the evidence to be produced during trial that any conclusion as to complicity of the petitioner in the crime can be drawn. The petitioner is in custody from the last about eight months. No prosecution witness has been examined so far and obviously, there are no chances of conclusion of the trial in near future. The well settled proposition of law is that bail is the rule and jail is an exception. Pre trial incarceration of an accused should not be a replica of post conviction sentencing. The detention prior to trial should not become punitive. Taking into consideration the period spent by the petitioner in custody and the overall facts and circumstances, this Court is of the considered opinion that the petitioner deserves to be extended benefit of bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

15.12.2025
manju

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No