



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

CRM-M-57236-2025
Date of decision: 09.12.2025

SURINDER YADAV

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Naveen Sharma, Advocate
for the petitioner.

Mr. Surinderjit Singh Nahar, AAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. By way of the present petition, the petitioner is seeking regular bail in case FIR No.88 dated 05.04.2024 registered under Sections 399, 402 of Indian Penal Code, 1860 and Section 25 of Arms Act, 1959 at Police Station Sahnewal, District Ludhiana.

2. Learned counsel for the petitioner contended that petitioner is in custody since 05.04.2025 i.e. for the last more than 08 months; the petitioner is having clean and clear antecedents as he is not involved in any other case; the petitioner is innocent and has been falsely implicated in this case; co-accused, namely, Himmat Singh has been granted the concession of regular bail by a Co-ordinate Bench of this Court in case bearing **CRM-M No.28187 of 2024** vide order dated 11.06.2024; investigation of the present case is complete and challan stands presented and trial of the case will take sufficient time to conclude. As such, the petitioner deserves to be granted bail.



3. Learned State counsel opposed the prayer made by the petitioner and submitted that three co-accused, after getting the relief of regular bail are not appearing before the trial Court and have been declared as proclaimed persons. However, learned State counsel fairly admitted that the petitioner is not involved in any other case except the present one.

4. Heard.

5. Keeping in view the facts and circumstances of the present case and the fact that petitioner is in custody since 05.04.2025 i.e. for the last more than 08 months; there is no material available on record to show the petitioner is involved in any other case; the case of the petitioner is on same footing with co-accused, namely, Himmat Singh, who has been granted the concession of regular bail by a Co-ordinate Bench of this Court in case bearing **CRM-M No.28187 of 2024** vide order dated 11.06.2024; there is no apprehension that the petitioner, after getting released on bail, would tamper with the evidence as all the witnesses are official; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping the petitioner in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability of accused is to be decided after appreciating evidence adduced by both parties and it is a 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.

6. 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.



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

December 09, 2025
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(SUBHAS MEHLA)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |