

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

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**CRM-M-58253-2025
Decided on : 04.12.2025**

Manjit @ Manjeet Kumar and another

..... Petitioners

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Munish Behl, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Haryana
for the respondent-State.

Mr. Rajesh Kumar Kashyap, Advocate
for the complainant.

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 petitioners in case FIR No.0064 dated 17.05.2025, registered under Sections 351(2), 318(4), 316(2), 309(4) and 127(3) of the BNS, 2023 (Section 61(2) of BNS, 2023 added lateron), at Police Station Naggal, District Ambala.

2. Brief facts as per the prosecution case are that the FIR was lodged on a complaint filed by Baljit Singh, who alleged that the petitioners in connivance with co-accused robbed him for an amount of Rs.9,00,000/- from him. Hence the present FIR.

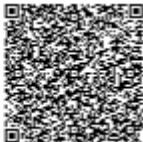
3. Learned counsel for the petitioners contends that the petitioners



have been falsely implicated in the present case and they have no concern with the said offence. He further contends that the allegations levelled against the petitioners are totally false and frivolous. He contends that the prosecution version is highly improbable as if the complainant and his friend were wrongfully confined, then why they did not make any noise when they were taken to bank for withdrawing the money. He further submits that the complainant himself withdrew the money through cheque and hence offence of robbery is not made out in the present FIR. . Learned counsel further contends that the petitioners are in custody since 18.05.2025 and they have clean antecedents. Learned counsel contends that the investigation in this case is complete, challan stands presented, charges have been framed and out of 14 prosecution witnesses, none has been examined till date, therefore no useful purpose would be served by keeping the petitioners behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has filed custody certificates as well as reply on behalf of the respondent-State which are taken on record. He has vehemently opposed the prayer for bail, stating that the offence committed by the petitioners is serious in nature. He submits that the petitioners after hatching conspiracy with co-accused have cheated and robbed the complainant. He further submits that challan has been filed in the present case but charges are yet to be framed. However, he has not controverted the fact that the petitioners are the first time offenders and are not involved in any other case.

5. Learned counsel appearing on behalf of the complainant has also opposed the prayer for grant of bail to the petitioners on the ground that the petitioners were actively involved in the crime and, thus, do not deserve the



concession of bail.

6. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioners are in custody for the last more than 06 months 14 days; challan stands presented, charges are yet to be framed and the fact that the trial is proceeding at snail’s pace, no useful purpose would be served by detaining them in further custody. Their further detention without the prospect of the trial being concluded in the near future would be violative of their rights under Article 21 of the Constitution of India.

7. This Court is sanguine of the fact that according to the proposition settled by the Apex Court in *Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131*, keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his 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 exception”.

8. In view of the above, the present petition is allowed and the petitioners are ordered to be released on bail on their 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.

04.12.2025
mamta

(RUPINDERJIT CHAHAL)
JUDGE

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