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

**CRM-5152-2025 in/and
CRM-M-62344-2024
Date of Decision: 11.02.2025**

Harjinder Singh ...Petitioner
vs.
State of Punjab ...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Manbr Singh Basra, Advocate and
Mr. Anupinder Singh Brar, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

CRM-5152-2025

1. Application is allowed as prayed for subject to all just exceptions.

Annexures P-2 to P-4 are taken on record.

CRM-M-62344-2024

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.135 dated 12.10.2023 registered under Sections 420, 120-B of IPC and Sections 465, 467, 468, 471 of IPC added later on, at Police Station Nurpur Bedi, District Rupnagar.

2. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case and the allegations are highly improbable and unbelievable. He further contends that the petitioner was



arrested in the present case on 24.07.2024 and is in custody for the last more than 6 months. After completion of the investigation, challan has already been presented against him and the prosecution has not been able to examine even a single witness, so far in the present case.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that six other criminal cases have been ordered to be registered against him. However, the petitioner is on bail in three cases and two cases have been quashed by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. No doubt, six more criminal cases have been registered against the petitioner, but the petitioner cannot be denied the concession of bail in the present case only on that ground because the petitioner has been able to make out a case for grant of bail in the peculiar facts and circumstances of the present case. The reliance can be placed on the law laid down by the Hon'ble Supreme Court in the matter of "**Prabhakar Tewari Vs. State of U.P., and another**" 2020(1) R.C.R. (Criminal) 831, wherein it has been held that the pendency of several criminal cases against the accused cannot be the basis to refuse the prayer of bail. Similar observations have been made by the Hon'ble Supreme Court in the matter of "**Maulana Mohd. Amir Rashadi Vs. State of U.P., and another**" 2012(1) R.C.R. (Criminal) 586. The petitioner is stated to be in custody since 24.07.2024 i.e. for the last more than 6 months. Even the prosecution has not been able to examine even a single witness so far.



Moreover, the offences are triable by the Court of Magistrate and no purpose will be served by keeping the petitioner behind bars.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

11.02.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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