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

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Maninder Singh

...Petitioner

V/s

State of Punjab

...Respondent

Date of decision: 27.11.2025**Date of Uploading : 27.11.2025****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Sukhwinder Singh Kamboj, Advocate with
Mr. Maninder Kamboj, Advocate for the petitioner.
Ms. Aiman J. Chisti, AAG Punjab.

SUMEET GOEL, J. (Oral)

1. Present petition has been filed under Section 483 BNSS, read with Section 528 of BNSS, 2023 for grant of regular bail to the petitioner in case bearing FIR No.373 dated 13.11.2018, registered for the offences punishable under Sections 379 and 411 of IPC at Police Station City Rajpura, District Patiala.

2. The gravamen of the FIR in question reflects that the petitioner was intercepted by the police while on patrolling duty, who was driving the motorcycle and had kept a heavy gunny bag. On inquiry, the petitioner told the Police that he was working as guard in the under-construction railway track. He has been arrested for being in possession of alleged stolen iron rods weighing around 58 kgs.

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 13.11.2018 whereinafter he was granted the concession

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of bail by the Court below vide order dated 20.11.2018. Learned counsel has further submitted that the petitioner has jumped bail on 08.08.2019 as he was not able to appear in the Court during trial on account of circumstances beyond his control. Learned counsel has further submitted that the petitioner was re-arrested on 12.09.2025 and he is in continuous custody since then. Learned counsel has urged that the further incarceration of the petitioner is not required and the petitioner shall make himself available during the trial proceedings for expeditious disposal thereof. In this view of the matter, learned counsel has prayed for grant of regular bail.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 24.11.2025 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. It is not in dispute before this Court that the petitioner was initially arrested on 13.11.2018 and was granted the concession of regular bail vide order dated 20.11.2018. No doubt the petitioner jumped bail on 08.08.2019 and was declared as proclaimed offender on 04.07.2024 but the factum remains that he is in custody since 12.09.2025. The trial in question is primarily Magisterial in nature. In the considered opinion of this Court, further detention of the petitioner as an undertrial is not warranted in the facts/circumstances of the case. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of

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justice or interfering with the remaining prosecution evidence. As per custody certificate dated 24.11.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of more than 02 months and 18 days.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the



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State/complainant shall be at liberty to move cancellation of bail of the petitioner.

- 9. Ordered accordingly.
- 10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.
- 11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

November 27, 2025
Ajay

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