



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

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**CRM-M No.66332 of 2025
Date of decision : 2.12.2025
Date of uploading : 2.12.2025**

Mani Singh @ Manjit SinghPetitioner
Versus
State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Rohit Kumar, Advocate, for the petitioner
Ms. Aiman J. Chishti, AAG, Punjab

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.94 dated 27.7.2024 under Sections 458, 459, 326, 324, 427, 323, 506, 148 and 149 of the IPC, registered at Police Station Sadar Bathinda.
2. The gravamen of the FIR in question is that on 27.4.2024, Sema Singh, who is a drug paddler alongwith other accused persons, having deadly weapons, forcefully entered the house of complainant Sandeep Singh and gave injuries to the whole family, destroyed the furniture, broke all belongings and cut off the fingers of right hand of the complainant. The accused persons took ₹70,000/- and one Vivo mobile phone from the house and while leaving, threatened to kill the family of the complainant.



3. Learned counsel for the petitioner has argued that the petitioner is in custody since 1.9.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further argued that, assuming *arguendo*, the prosecution version is taken to be correct, the role attributed to the petitioner is that of being armed with brick-bats but no specific injury is attributed to the petitioner. Learned counsel has further argued that culmination of the trial, but of course, will take long. Learned counsel has further submitted that no useful purpose will be served by keeping the petitioner into further incarceration. Thus, regular bail is prayed for.

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 1.12.2025 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. The petitioner was arrested on 1.9.2025 wherein after investigation was carried out and challan stands presented on 20.11.2025. Total 17 prosecution witnesses have been cited and it is not in dispute that none has been examined till date. It is thus, indubitable that culmination of trial will take its own time. The rival contentions raised by learned counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to



delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

As per custody certificate dated 1.12.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 3 months. As per the said custody certificate, the petitioner is stated to be involved in 7 more cases/FIRs. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in *CRM-M No.38822-2022* titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

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 cell-phone 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/Illaqa 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 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.

(SUMEET GOEL)
JUDGE

2.12.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No