



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

228

CRM-M-66590-2025 (O&M)

Date of decision: 03.12.2025

Arshpreet Singh @ Ashu

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Davinder Singh Saini, Advocate, for the petitioner.

Mr. Jasjit Singh, DAG, Punjab

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.121 dated 06.09.2025, registered under Sections 192, 196, 352, 353(2), 351(2), 299, 61(2) of BNS, 2023 and 67 of IT Act at Police Station Kathgarh, District SBS Nagar.

2. Learned counsel contends that the petitioner, 19 year old, has been in custody for 02 months and 25 days. He alleges false implication in the present case as the complainant, who was the Sarpanch of adjoining village of Railmajra had a grudge against the wife of co-accused Mohan Gupta, who was named and has been granted bail vide order dated 29.10.2025, Annexure P-5, after being in custody about 2 months as also Anubhav Sharma vide order dated 12.11.2025, Annexure P-6. There is no allegation against the petitioner of having made a hate speech. *Challan* was presented on 05.11.2025, but charges have not been framed



so far. In all there are 12 prosecution witnesses. He is not involved in any other case.

3. The custody certificate dated 02.12.2025, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 02 months and 25 days.

4. Learned State counsel opposes the bail on the ground that there are specific allegations against the petitioner, he being involved alongwith co-accused in commission of offence. However, he is unable to controvert the submissions with regard to stage of the trial, co-accused on bail and the petitioner being not involved in other case.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 02 months and 25 days; co-accused are on bail; not involved in any other case; *challan* was presented on 05.11.2025, but charges are to be framed; there are a total of 12 prosecution witnesses, the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

7. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific



order of Court.

- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

03.12.2025

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