



CRM-M-69033-2025 (O&M)

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223 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-69033-2025 (O&M)
Date of decision: 12.12.2025

NISHANT RAI

...PETITIONER

VERSUS

STATE OF PUNJAB

..RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Ajay Pal Singh Rehan, Advocate (through V.C.)
for the petitioner.

Mr. Raj Karan Singh, AAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

CRM-49439-2025

Allowed as prayed for.

Main case

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.07, dated 11.01.2025, under Sections 115(2), 304, 324(4), 3(5) of BNS,2023, registered at Police Station City Hoshiarpur, District Hoshiarpur.
2. Succinctly the facts of the case is that the FIR was lodged on the statement of the complainant, namely, Taranjit Singh. It was alleged that on 26.12.2024, he went to his relative's house in NawanShahr. After meeting his relatives at about 10:30/11:00 PM in the night, he stopped near Shani Dev Mandir, Dussehra Ground, Hoshiarpur. He had parked his car. In the meantime, 04 persons came their, two of them with muffled faces and were holding baseball bats in their hands. They made an attempt to snatch his silver chain which was

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smashed the rear window of his car. Though, he tried to escape in his car. However, all of them chased and waylaid him. He was exalted and his leg was also broken. They snatched his purse containing Rs.50,000/-, a silver chain and Iphone 14 Pro max from his pocket and his car was also damaged. It was alleged that now he had come to know that on 26.12.2024, the name of the assailants were Nishant (present petitioner), Shiva, Sunny and Karan. Request was made to take the legal action against the accused persons. From the registration of the FIR, investigation commenced. During investigation, the petitioner was arrested on 03.04.2025. He approached the learned Additional Sessions Judge, Hoshiarpur for grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Hoshiarpur declined the bail application vide order dated 12.09.2025. Thus, the petitioner is before this Court praying for the grant of bail by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely and frivolously implicated in the present case. He submits that the only reason of the implication of the petitioner is that he has criminal antecedents. He further submits that the occurrence in the present FIR has taken place on 26.12.2024 whereas the FIR has been registered after a delay of 15 days i.e. on 11.01.2025. He further submits that the complainant unintentionally did not record his statement before the police as it is evident from the record. Though, he was admitted in the hospital on 27.12.2024. He further submits that the complainant had specifically named the petitioner and the co-accused in the FIR by simply saying that he had come to know about their involvement. He further submits that the petitioner and the co-accused had no acquaintance with the complainant and the allegation of the complainant are

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petitioner in the present case is writ-large. He further submits that the petitioner is behind bars since 03.04.2025. Thus, in the facts and circumstances, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that the complicity of the petitioner surfaced during investigation. He further submits that the complainant was badly bitten and his purse along with cash, silver chain and mobile were also snatched. However, he further submits that no recovery has been effected so far. On instructions, he further submits that only challan has been presented. He has produced custody certificate of the petitioner today in the Court and the same is taken on record.

5. Heard.

6. On hearing learned counsel for the parties and perusing the record, it is deciphered that the occurrence in the present case has taken place on 26.12.2024 whereas the FIR had been registered on 11.01.2025. While registration of FIR, the complainant has alleged that he had come to know about the complicity of the accused. From the record, there is nothing to show the same regarding the source of incrimination to the complainant regarding the identity of the petitioner, simply because he involved in other case, there is no ground to reject his bail. Custody certificate produced would show that the petitioner has completed incarceration of 08 months and 06 days as on 11.12.2025. It further reflects that the petitioner is involved in three more cases, however, he is on bail in one case and he has been acquitted in one case.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time.



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8. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

9. In case the bail bonds are not furnished by the petitioner during the period of 07 days from today, then his further custody period after one week will not be counted in the present case.

12.12.2025
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(RAJESH BHARDWAJ)
JUDGE

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