



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

211

CRM-M No.3796 of 2026

Date of decision : 30.4.2026

Date of uploading : 30.4.2026

Vinod @ Langda and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. D.S. Virk, Advocate, for the petitioners

Ms. Priyanka Sadar, Senior DAG, Haryana

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 petitioners in case FIR No.812 dated 9.12.2024 under Sections 303, 305 of Bharatiya Nyaya Sanhita, registered at Police Station City Sirsa, District Sirsa.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'To, The SHO, City Police Station, Sirsa. Subject: Regarding theft of jewelry. I. Ajay Kumar S/o Surendra Kumar, resident of Bansudhar, submit this complaint. On December 9, 2024, I was returning from attending a wedding at my maternal grandparents' house in Padampura, Rajasthan. When I left my grandparents' house, I put my gold jewelry in a bag. When I reached the main bus stand in Sirsa, I took out a ladies' purse from the bag to buy some things, after which I closed the bag and kept it



aside. Later, I boarded a Haryana Roadways bus for Khareka. Four unknown persons boarded the bus with me from behind. I then bought a ticket for Khareka, and those four persons also bought tickets for Khareka. Instead of going to Khareka, they got off at the bypass railway crossing in Sirsa. After that, when I went home to Bansudhar and checked the jewelry, I found that the jewelry was missing and the zipper of the bag was broken. The persons are unknown. Action should be taken against these persons. Sd/- Ajay, Name Ajay Kumar Vill. Bansudhar Mob-81989-85092.'

3. Learned counsel for the petitioners has argued that the petitioners are in custody since 14.11.2025. Learned counsel has further argued that initially the petitioners have been implicated primarily on the basis of suspicion/disclosure statement. Learned counsel has urged that the trial is magisterial in nature and conclusion thereof will take long. Learned counsel has further submitted that petitioner no.1 is a man aged about 35 years whereas petitioner no.2 is a young man aged about 26 years. Learned counsel has further submitted that the petitioners are sole bread earners of their respective families. Learned counsel has further submitted that the petitioners have been implicated into the FIR in question on their having antecedents and the police have not able to solve the case and implicate their names. 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 petitioners does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificates dated 29.4.2026 and 30.4.2026 in Court, which are taken on record.

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



6. The petitioners were arrested on 14.11.2025 wherein after investigation was carried out and challan stands presented on 7.1.2026. Total 6 prosecution witnesses have been cited, out of which only 01 has been partly examined till date. A perusal of the *zimni* orders dated 17.2.2026, 13.3.2026, 30.3.2026, 13.4.2026 and 27.4.2026 reflects that the trial is procrastinating and folly thereof cannot be saddled upon the petitioners. 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 petitioners absconding from the process of justice or interfering with the prosecution evidence. As per custody certificates dated 29.4.2026 and 30.4.2026 filed by learned State counsel, the petitioners have already suffered incarceration for a period of 5 months and 14 days (Vinod) and 5 months and 15 days (Joni). As per the said custody certificates, each petitioner is stated to be involved in 4 more 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. Petitioners are ordered to be released on regular bail on their 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 petitioners shall remain bound by the following conditions:-

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

30.4.2026
Ashwanii

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