

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-D-147-2026

JUDGEMENT RESERVED ON	JUDGEMENT PRONOUNCED ON	OPERATIVE PART PRONOUNCED OR FULL	UPLOADED ON
30.03.2026	22.04.2026	FULL PRONOUNCED	23.04.2026

Jatin Kumar @ Rohan ...Appellant

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA
HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Dheeraj Mahajan, Advocate and
Mr. Jasjit Singh Saini, Advocate for the appellant.

Ms. Pooja Nayar Sharma, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Section
148	17.05.2025	Civil Lines, Batala	4, 5 of Explosive Substance Act, Sections 111, 61(2) of BNS and 13/14/16/17/18B/20 of UAPA Act 1967

Bail Application number before the Sessions Court	CIS No.BA-6173-2025
Date of Decision	20.11.2025

1. Aggrieved by the rejection of the application for default bail and extension of time, the appellant has come up before this Court.
2. We have heard counsel for the parties, gone through the appeal and reply, and its analysis would lead to the following outcome
3. The limited question for consideration is the date of arrest of the accused. In paragraph #14 of the impugned order dated 20th November 2025, learned trial Court mentioned the date of arrest in the bail application was stated as 18th May 2025 at 12:30 PM, whereas, upon perusal of the arrest memo (come intimation memo attached), the date of arrest was stated as 19th May 2025. Learned trial Court further went on to state that the

fact was clarified by the duty judge in order dated 15th November 2025, but the counsel for the bail applicant did not press on the said fact. It is strange that, instead of referring to the actual arrest, the applications for illegal detention which form part of the present appeal, the trial Court has referred to the arrest memo. Needless to say, if the arrest memo shows the date of arrest as the 19th May 2025, and the accused was in fact arrested earlier, then the initial detention will be illegal. Be that as it may, this has to be re-analysed by the trial court, and the present appeal is **partly allowed** with liberty to the accused to file a fresh application for default bail, explicitly mentioning every date, including the date of the first arrest, supported by the documents, right up to the date on which the accused claims to have been entitled to default bail. Once the application is filed, the Public Prosecutor shall file a parawise reply to confront the stand taken by the accused, and after that the trial Court shall decide the application again. Needless to say that the application must be filed within two weeks from the passing of this judgment and not beyond that.

4. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

(SUKHVINDER KAUR)
JUDGE

22.04.2026

Anju rani

Whether speaking/reasoned	YES
Whether reportable	NO