



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

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**CRM-M No.6696 of 2026
Date of decision : 30.3.2026
Date of uploading : 1.4.2026**

Sahil Bhardwaj @ Sahnu @ Sahil**Petitioner**
Versus
State of Punjab**Respondent**

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Sumit Dua, Advocate, for the petitioner
Mr. Baljinder Singh Sra, Addl. AG, 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.16 dated 5.2.2025 under Sections 311, 118(1), 3(5) of Bharatiya Nyaya Sanhita, 2023, registered at Police Station Sadar Jalandhar, District Jalandhar.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Statement of chetak kumar S/o Shri Ganagram Resident of Village jaganathpur, Police Statio lalganj Hazara, District Pratapgarh, State UP Now resident of Neeraj Sharma's Farm House No.1, Dhanal Kanal Road South City Jalandhar, age about 25 years, Mobile No. 8837598143 stated that I am a resident of the above said addressand I work as gardener in Flat no. 66 footy road Jalandhar. On 02.02.2025 at around 7:00-7:30 PM, I was coming home on a bicycle with my nephew Raj, son of Shri Mohan



Lal, who lives near the plot of the Key Factory, TV Tower, Jalandhar, along with my nephew. When we reached Dhanal Kalan Road from Nangalpur Gate, three youths riding a white Activa came from behind us. They immediately put their Activa in front of our bicycle. My nephew Raj got off the bicycle and ran away. The two youths sitting behind the Activa got off the Activa and showed me their weapons and said, "Take out whatever you have." I got scared and threw the bicycle and ran towards the fields. These two unknown youths ran after me with weapons. I fell while running and an unknown youth hit me on the head with a sharp sickle held in his hand. I raised my right hand to protect myself. When he went forward, this blow hit my right hand, after that the other unknown youth hit my head with the sickle he was holding, so I put my left hand forward to save him and this blow hit my left wrist. After that, this unknown youth hit my back with the sickle he was holding on my left shoulder, so I bled badly. After that, they threatened me and snatched my mobile phone brand Samsung A-32 in which my mobile number 8188055058 was running and also snatched about 8000/- rupees from me. I kept shouting for help, so these three youths after stealing the loot fled from the spot along with their white Activa. After that, my nephew Raj came to me with the people of village Dhanal Kalan and my nephew arranged for a ride and admitted me to PHC Jamsher. Where Dr. bandaged me and issued my MLR. After that, the doctor referred me to the Civil Hospital Jalandhar. Where I am undergoing treatment. I have submitted the MLR number AL/133/JMK/2025 dated 02.02.2025 regarding my injuries to you. I cannot sign due to injury on my right hand. Due to which I am putting my thumb on my hand. I can identify the unknown person who snatched me if he comes forward. I have written my statement in the presence of the above mentioned person with my brother Basant, which I have heard is correct. Please take appropriate legal action against the unknown persons. Sd/-(Angutha LTI) Chetak Kumar Tayyed Basant Lal (63605-25991) Attested by Surjit Singh SI Incharge Chowki Jalandhar Heights Police Station Sadar Commissionerate Jalandhar Date 05.02.2025.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 17.9.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned



counsel has further submitted that the petitioner is involved into the FIR in question primarily on account of disclosure, which is not tenable in law. Learned counsel has further submitted that somewhat similarly placed co-accused, namely Sourab has granted the concession of regular bail by this Court vide order dated 12.8.2025 passed in CRM-M No.25029 of 2025. Learned counsel has further submitted that the petitioner has suffered incarceration for more than 6 months. 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 28.3.2026 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 17.9.2025 wherein after investigation was carried out; challan was prepared on 12.11.2025 and subsequently filed. Total 19 prosecution witnesses have been cited but none has been examined till date as the charges are yet to be framed. It is thus indubitable that culmination of trial will take its own time. The rival contentions raised at Bar 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.

6.1 As per custody certificate dated 28.3.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 6 months and 11 days. As per the said custody certificate, the petitioner is stated to be involved in 2 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

30.3.2026
Ashwani

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