



CRM-M-7182-2026 (O&M) 1

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

Sr.No.246

**CRM-M-7182-2026 (O&M)
Decided on : 08.04.2026**

Mahavir Singh alias Maani

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Ms. Samanpreet Kaur, Advocate
for the petitioner.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.107 dated 11.11.2019, registered under Sections 420, 489-B, 489-C, 120-B IPC, at Police Station Ghagga, District Patiala.

2. Brief facts as per the prosecution case are that the petitioner alongwith co-accused in conspiracy with each other had formed a group for selling and purchasing the fake currency notes and used them as real currency, therefore had committed fraud with the people. Hence the present FIR

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He further contends that the petitioner is not even named in

the FIR and the role of one accused namely Maani has been attributed to the



present petitioner. Learned counsel contends that earlier vide order dated 12.02.2020, passed by the Court of learned Judicial Magistrate Ist Class, Samana, the petitioner was granted the concession of bail, however, due to health issues he could not appear before the trial Court on various occasions and was declared proclaimed offender on 02.03.2023. He further submits that the similarly situated co-accused Lakhwinder Singh and most of the other co-accused have already been granted the concession of bail by the learned trial Court. The petitioner is in custody for about 05 months and 30 days. The investigation in the case is complete, challan stands presented and charges have been framed and the case is fixed for prosecution evidence. He further submits that the trial will take a long time to conclude and no useful purpose would be served by keeping the petitioner behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has filed the custody certificate of the petitioner, which is taken on record. He has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature and he was apprehended at the spot with the recovery of alleged two counterfeit currency notes of Rs.500/-. Learned State counsel further contends that earlier the petitioner was declared proclaimed offender and there is apprehension that if he is granted bail, he may abscond again. Therefore, he prays for dismissal of the instant petition.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last 05 months and 30 days; investigation is complete; challan stands presented, charges have also been framed, the case is fixed for prosecution



evidence and the fact that the trial is proceeding at snail’s pace, no useful purpose would be served by detaining him in further custody. His further detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. Reliance is placed upon a judgment in the case of *Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131*, wherein Hon’ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of her right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle “bail is a rule” and “jail is an exception”.

10. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

08.04.2026
mamta

(RUPINDERJIT CHAHAL)
JUDGE

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