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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-7866-2026****Date of Decision: 01.07.2026****MANISH****...Petitioner****Vs.****STATE OF HARYANA****...Respondent****CORAM:- HON'BLE MR. JUSTICE VIRINDER AGGARWAL****Present: Mr. Amrainder Singh, Advocate for the petitioner.****VIRINDER AGGARWAL, J. (Oral)**

1. The present first petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 439 of the Code of Criminal Procedure, 1973), seeking grant of regular bail to the petitioner in FIR No. 91 dated 11.07.2025 (Annexure P-1), registered under Sections 61(2), 310(2), 351 (3) of the Bharatiya Nyaya Sanhita, 2023 and Section 25(1B)(c) of the Arms Act, 1959, at Police Station Bhupani, District Faridabad.

2. The case of the prosecution, as set out in the FIR, is that the complainant, who runs a money transfer shop at Village Tikawali, Police Station Bhupani, District Faridabad, was present at his shop on 11.07.2025 when three unknown persons arrived on a motorcycle without a number plate, wearing face masks. It is alleged that the said persons entered the shop and initially posed as customers seeking money withdrawal services using Aadhaar card. It is further alleged that while two of them stood near the complainant, one of them suddenly took out a country-made pistol (desi katta) from under his shirt, showed it to the complainant, and threatened him at

gunpoint. Thereafter, the accused persons allegedly opened the cash drawer and forcibly robbed an amount of ₹37,200/-. It is further alleged that the complainant was threatened with dire consequences, including being shot dead, if he raised an alarm. On the basis of these allegations, the present FIR came to be registered against unknown persons.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is submitted that the name of the petitioner does not figure in the FIR and he has been roped in solely on the basis of alleged disclosure statements of co-accused, which are not admissible in evidence and cannot form the sole basis of implication. It is further submitted that no Test Identification Parade was conducted, despite the alleged assailants being masked, rendering the identification of the petitioner doubtful.

3.1 It is contended that there is no direct, circumstantial or corroborative evidence connecting the petitioner with the alleged offence, nor is there any material to show his active participation in the alleged robbery. It is further submitted that as per the prosecution version, only three persons were allegedly involved in the occurrence, whereas during investigation five persons have been arrested, which creates serious inconsistencies in the prosecution case.

3.2 Learned counsel further submits that the petitioner has been in custody since 12.08.2025 and the investigation stands completed with the challan already presented. No recovery is pending from the petitioner and he is no longer required for custodial interrogation. It is also submitted that similarly situated co-accused have already been granted the concession of

regular bail, and therefore the petitioner is entitled to bail on the ground of parity. It is further argued that the petitioner has deep roots in society and there is no likelihood of his absconding or tampering with prosecution evidence. Accordingly, it is prayed that the petitioner be enlarged on regular bail.

4. Notice of motion.

5. Mr. Karan Veer Singh, Senior DAG, Haryana, has put in appearance on behalf of the respondent-State and has filed the custody certificate dated 30.06.2026, which is taken on record, subject to all just exceptions. As per the custody certificate, the petitioner has already undergone a total custody period of 10 months and 19 days.

6. Learned State counsel has opposed the present petition and submitted that the petitioner does not deserve the concession of bail as the allegations against the accused are grave and serious in nature and the accused is involved in an offence of dacoity punishable with severe punishment, including life imprisonment, and there exists a strong prima facie case against him. He further contends that if released on bail, the accused is likely to intimidate or influence the complainant and witnesses, and may also misuse the concession of bail. It is also contended that there is every likelihood of the accused absconding and repeating similar offences, thereby affecting the fair trial. On these grounds, it is prayed that the present bail application be dismissed.

7. Be that as it may, considering the custody period already undergone by the petitioner, i.e. 10 months and 19 days, and the fact that investigation stands completed, challan has been presented before the learned Trial Court, charges have already been framed and no recovery is pending

from the petitioner and he is no longer required for custodial interrogation, it is evident that the trial is likely to take some time to reach its logical conclusion.

8. Reliance is placed upon the judgment of the Hon'ble Apex Court in *Dataram Singh v. State of Uttar Pradesh & Another*, 2018 (2) R.C.R. (Criminal) 131, wherein it has been held that grant of bail is the rule and refusal thereof is an exception, and that a person is presumed to be innocent until proven guilty. It is further submitted that the right to speedy trial forms an integral part of the right to life and personal liberty guaranteed under Article 21 of the Constitution of India, and the same has been consistently recognised by the Hon'ble Supreme Court, including in *Balwinder Singh v. State of Punjab & Another* (SLO (CrI.) No. 8523/2024). In the present case, the trial is likely to consume considerable time before reaching its logical conclusion. In these circumstances, continued incarceration of the petitioner would serve no useful purpose, particularly when the trial can be effectively safeguarded by imposing appropriate conditions.

9. Accordingly, the present petition is allowed, and the petitioner is ordered to be admitted on regular bail, subject to furnishing requisite bail and surety bonds to the satisfaction of the learned Chief Judicial Magistrate concerned/Illaq Magistrate/Duty Magistrate, as the case may be, and further subject to the following conditions:-

1. The petitioner shall not, directly or indirectly, make any inducement, threat, or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from

disclosing such facts before the Court or to the investigating agency.

2. The petitioner shall not tamper with the prosecution evidence in any manner whatsoever, nor shall attempt, directly or indirectly, to influence, intimidate, or contact any prosecution witness.

3. The petitioner shall not leave the territorial limits of India without obtaining the prior permission of the learned Trial Court. In the event he is in possession of a passport, he shall furnish its particulars before the Investigating Officer as well as the learned Trial Court.

4. The learned Illaqa Magistrate/Duty Magistrate, before accepting the bail and surety bonds, shall obtain from the petitioner his permanent residential address as well as present correspondence address, duly supported by appropriate documentary proof. The Investigating Officer shall verify the correctness of the said addresses within 48 hours from the acceptance of the bail bonds and shall place a verification report on the record. In the event either of the addresses is found to be false, fictitious, or incorrect, it shall be open to the prosecution to seek cancellation of the concession of bail in accordance with law.

5. The petitioner shall furnish before the learned Trial Court, either at the time of furnishing the bail bonds or within such period as may be specified by the Court, Permanent Account Number (PAN), Aadhaar Number, particulars of all operative bank accounts, and a declaration disclosing details of immovable properties, if any. Any concealment of material particulars or furnishing of false information

shall constitute a valid ground for seeking cancellation of bail in accordance with law.

6. The petitioner shall intimate the Investigating Officer as well as the learned Trial Court, in writing, of any change in residential address or mobile number within seven days from the date of such change.

7. The petitioner shall not commit any offence of a similar nature during the pendency of the trial and shall remain present before the learned Trial Court on each and every date fixed, unless his personal appearance is exempted in accordance with law. He shall not absent himself from the proceedings without obtaining prior permission of the learned Trial Court. In the event of any violation of the aforesaid conditions or his unauthorized absence from the trial proceedings, it shall be open to the learned Trial Court to proceed in accordance with law, including cancellation of the concession of regular bail and issuance of appropriate coercive process, including warrants of arrest.

(VIRINDER AGGARWAL)
JUDGE

01.07.2026

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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>