



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

Sr.No.234+115

CRM-M-10588-2026  
Decided on : 22.04.2026

Ashok Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : **HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL**  
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Present : Mr.Amjad Khan, Advocate for the petitioner.

Mr. Ekom Pal Saggo, AAG, Punjab.  
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**RUPINDERJIT CHAHAL, J (ORAL)**

**CRM-17168-2026**

Application is allowed as prayed for subject to all just exceptions. Documents Annexures P-5 to P-7 are taken on record.

**CRM-M-10588-2026**

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.0234 dated 30.10.2025, registered under Sections 420, 465, 467, 468, 471, 120-B IPC and Section 12 of Passport Act, 1967 (Section 201 IPC added lateron), at Police Station City Nawanshahar, District SBS Nagar.
2. Brief facts as per the prosecution case are that the petitioner alongwith co-accused is indulged in issuing passports of criminals on the basis of false and fake address. Hence the present FIR.



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3. Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present case. He further contends that the allegations levelled against the petitioner are false and he has no concern with the said offence. Learned counsel contends that the entire evidence in the present case is documentary in nature, hence nothing is to be recovered from him. Learned counsel further contends that the alleged occurrence pertains to the year 2024 whereas the FIR in question was registered in the year 2025 i.e. after an unexplained delay of more than 01 year, casting serious doubt on the prosecution story. Learned counsel submits that co-accused Sanjeev Kumar alias Bablu and Chetan Goyal have already been granted the concession of regular bail by a Coordinate Bench of this Court vide orders dated 24.02.2026, passed in CRM-M-555-2026 and CRM-M-559-2026 respectively. The petitioner is in custody since 30.10.2025 and he has clean antecedents. The investigation in this case is complete, challan stands presented and charges have been framed. Learned counsel further submits that out of 15 prosecution witnesses, none has been examined till date. He further submits that trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has filed the custody certificate 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. However, he could not controvert the fact that the petitioner is the first time offender as he is not involved in any other case.

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 more than 05 months and 13 days; co-accused have already been granted the concession of regular bail by a Coordinate Bench of this Court; the investigation in this case is complete; challan stands presented; charges have been framed; out of 15 prosecution witnesses, none has been examined till date and the fact that trial may take a long time to conclude, no useful purpose would be served by detaining the petitioner 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 his 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*”.

7. 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.

22.04.2026  
mamta

(RUPINDERJIT CHAHAL )  
JUDGE

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