

2026.PHHC.066036



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

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CRM-M-11413-2026

Date of decision: 29th April, 2026

Karan Kumar @ Chirri

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vikas Gupta, Advocate for the petitioner.
Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The petitioner is seeking concession of regular bail in case bearing FIR No. 39 dated 15.03.2023 registered under Sections 379-B of IPC (Sections 489 of IPC added later on) at Police Station City Patti, District Tarn Taran.

2. As per the allegations, on 15.03.2023, two motorcyclists had snatched a mobile phone from the complainant Boota Singh and escaped. During the course of investigation, accused Arshdeep Singh and Anmol Singh were apprehended on the basis of some secret information and snatched mobile was recovered from the accused Arshdeep Singh, which was identified by the complainant. On interrogation, the accused Arshdeep Singh suffered a disclosure statement to the effect that he had committed the offence at the instance of the present petitioner. The petitioner was nominated as accused and was arrested. He was extended benefit of bail vide order dated 15.05.2023 passed by learned Sessions Judge, Tarn Taran. He failed to appear subsequently due to which his bail was cancelled, and bonds were forfeited to

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the State vide order dated 18.09.2025. Proceedings declaring him as a proclaimed person were initiated and he was declared as such vide order dated 13.11.2025. He was arrested on 03.12.2025 and is in custody since then.

3. It is argued by learned counsel for the petitioner that his absence was not intentional as after presentation of challan though notices and then bailable warrants were issued against him but the same were never received by him due to not having any information about the presentation of challan. He could not appear before the learned trial Court. He has remained in custody for a period of over 07 months. No useful purpose would be served by detaining him in custody anymore. The trial will take considerable time to conclude. It is, therefore, argued that the petition deserves to be allowed.

4. *Per contra*, learned State counsel has argued that keeping in view the gravity of the allegations, the fact that petitioner has criminal antecedents and further that there are chances of his absconding again, he does not deserve to be extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

6. The petitioner had previously been extended benefit of bail. Now he has been in custody for a period of about 07 months. Previously, also he had remained in custody. There are no chances of conclusion of trial in near future. It is well settled proposition of law that pre-trial incarceration should not be a replica of post-conviction sentence. In view of the above discussed facts, this Court is of the considered opinion that the petitioner has made out

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petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds of two sureties to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. However, in addition to the conditions to be imposed by the learned trial Court/Duty Magistrate/Chief Judicial Magistrate, the release of the petitioner shall also be subject to the following conditions :

- (i) he shall not absent himself on any date before the learned trial Court;
- (ii) he shall deposit his passport, if any, with the learned trial Court;
- (iii) he shall give the details of his mobile numbers at the police station concerned and shall not change the same without prior permission of the Court;
- (iv) he shall not delay the trial in any manner.

8. In the eventuality of breach of any of the aforementioned conditions, the respondent-State shall be at liberty to move an application seeking cancellation of the bail.

9. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

10. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

29th April, 2026
Parveen Sharma

- 1. Whether speaking/ reasoned : Yes / No
- 2. Whether reportable : Yes / No