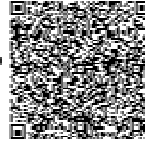


2026:PHHC:054115



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

**CRM-M No.11326 of 2026
Date of Decision: 08.04.2026
Date of Uploading: 08.04.2026**

Sonu Sahani

.....Petitioner.

Versus

State of Haryana

.....Respondent.

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Rajesh Tushar, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

SUMEET GOEL, J.(Oral)

Present petition has been filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner
in case bearing FIR No.119 dated 03.06.2023, registered for the offences
punishable under Sections 379-A and 34 of IPC, at Police Station City
Safidon, District Jind.

2. The case set up in the FIR in question (as set out in the present
petition by the petitioner) is as follows:

*“To SHO Sahib, Police Station City Safidon, For
snatching of chain from neck, Sir, I request that I am Ram
Pyari W/o Sh. Darshan Lal R/o Ward No. 15, Near Cards
Valley School, Shiv Colony. Today at about 05:30 AM, I*

alongwith her husband had gone to fetch milk from the house of Satta Saini near the river. While they were returning home, she was following her husband about 06:12 AM, when they reached near the house of Ram Niwas, one motorcycle came from the front side. She got on the side. However, the motorcyclist stopped the motorcycle by her side. The pillion rider snatched the chain from her neck and thereafter, both of them ran away. She fell down and raised alarm. She stated that the driver of the motorcyclist was wearing a helmet whereas the pillion rider had covered his face with handkerchief and cap. I am prayed that legal action be taken against these persons. Date 03.03.2023 Sd/- Ram Pyari Applicant wife of Darshan Lal R/o Shiv Colony, Safidon, M. 9896248542."

3. Learned counsel for the petitioner submits that the petitioner is in custody since 03.06.2023. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question primarily on account of his antecedents. Learned counsel has further submitted that co-accused Ravi Kumar @ Chhotu has already been granted regular bail by this Court vide order dated 13.03.2026 passed in CRM-M No.12664 of 2026. Learned counsel has further submitted that the petitioner has already suffered incarceration for more than 02 years and 09 months. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature and, thus, he does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 07.04.2026 in Court, which is taken on record.

5. I have heard counsel for the rival parties and have gone through the available records of the case.

6. The petitioner was arrested on 03.06.2023, whereinafter, investigation was carried out and the challan was presented on 07.08.2023. Total 16 prosecution witnesses have been cited, out of which 06 have been examined till date. It is not in dispute that FIR-complainant as also her husband, who are stated to be eye witnesses, have since been examined. It is not in dispute that co-accused Ravi Kumar @ Chhotu has already been granted regular bail by this Court on 13.03.2026. The rival contentions raised at Bar give rise to debatable issues 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 07.04.2026 filed by the learned State counsel, the petitioner has already suffered incarceration for a period of 02 years, 09 months and 26 days. As per the said custody certificate, the petitioner is stated to be involved in other 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 trial Court/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned trial Court/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 cellphone 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 trial Court/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.

April 08, 2026
Yag Dutt

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No