

CRM-M-13140-2025

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

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CRM-M-13140-2025

Decided on :05.03.2026

Ricky alias Riki

... Petitioner(s)

Versus

U.T. Chandigarh

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Parunjeet Singh, Advocate for the petitioner.

Mr. Shubham Mangla, A.P.P., U.T. Chandigarh.

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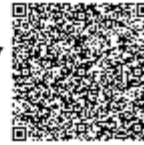
SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.89 dated 13.06.2024, under Sections 379-B, 397, 411, 34 IPC and Section 25 of Arms Act, registered at Police Station South Sector 34, Chandigarh.

2. Learned counsel for the petitioner argues that, as per the allegations, petitioner inflicted injuries with a knife on the armpit and little finger of the left hand of the complainant, Vinod Kumar, while snatching an amount of Rs. 4,000/- and certain documents, along with the assistance of one co-accused, namely Akash @ Prince.

It is further clarified that in the order dated 14.05.2025, it was inadvertently recorded that the petitioner had caused injuries to the right hand and the lower right side of the complainant's abdomen.

3. Learned counsel for the petitioner submits that petitioner was taken in custody on 13.06.2024, and the registration number of the motorcycle used by both the accused was captured in the CCTV footage.

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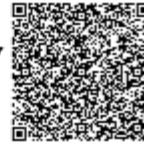
However, the trial has proceeded at a very slow pace, as only 10 prosecution witnesses have been examined out of a total of 24, whereas petitioner is in custody for approximately 01 year, 8 months, and 20 days.

4. Learned counsel for the petitioner further argues that, on 14.05.2025, trial court was directed to examine the injured/complainant on the next date, i.e., 16.05.2025, or on any other date convenient to the trial court, without granting unnecessary adjournments. Despite this specific direction and the elapse of more than ten months, the injured/complainant has not come forward to depose before the court. Therefore, in the absence of any fault on the part of the petitioner, he cannot be detained in custody indefinitely.

5. On the other hand, learned counsel for respondent-U.T. has filed the custody certificate of the petitioner in Court today, which is taken on record. Learned counsel for respondent-U.T. submits that petitioner is an habitual offender, being involved in 20 other cases, out of which he has been convicted in 08 cases, 07 cases are pending, and in 5 cases he has already been acquitted.

6. On being asked by the Court, learned counsel for respondent-U.T. specifically stated that both injuries allegedly caused by the petitioner were declared simple, and no injury was found on the stomach.

7. I have heard learned counsel for the parties and perused the paper book along with the documents appended thereto.

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8. Considering the fact that the petitioner is in custody for a period of last about 01 year, 08 months, and 20 days, trial is yet to progress substantially, and the injured/complainant has not appeared for deposition despite specific directions, this Court finds that there is no substantial justification to continue the detention of the petitioner. Allegations, as noticed, do not attribute any overt act to the petitioner that would warrant continued incarceration, and the injuries caused have been classified as simple.

Without expressing any opinion on the merits of the case, present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

05.03.2026***Rashmi***

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