



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

140

**CRM-M No.11982 of 2026
Date of decision : 17.3.2026
Date of uploading : 17.3.2026**

Vinod Kumar alias Bhaiya**Petitioner**
Versus
State of Punjab**Respondent**

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Harmanpreet Singh, Advocate, for the petitioner
Mr. Adhiraj Singh Thind, AAG Punjab

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.150 dated 10.7.2025 under Sections 109, 309(2) of Bharatiya Nyaya Sanhita, 2023, registered at Police Station Jandiala, District Amritsar Rural.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Statement of Davinder Singh son of Raghbir Singh resident of village Pannwa, Police Station Mattowal, age about 50 years. I am a resident of the above address and I work as a driver. Today I had gone to Amritsar for some work, riding my motorcycle number PB 02 BW-8201, make Honda. When I finished my work in Amritsar and was returning on my motorcycle, as I reached the bridge of Drain Fatehpur Rajputa on the main road, the time would be about 5:20 pm, when from behind me a



Pulsar motorcycle, black in colour, without number plate, carrying The rider suddenly two unknown boys, came. slowed the motorcycle near me and the boy sitting behind, with the intention to kill me, struck a reverse blow of a sickle on my head. I bent down at once and the sickle hit below my ear. Out of fear I stopped my motorcycle. Then the rider boy also stopped his motorcycle and forcibly snatched my purse. In my purse there were 1000 rupees and some other documents. After snatching my purse these two boys rode away on their motorcycle towards Nawa Pind side. I can identify them if they come before me. I was going to the police station to give this information when I met you. Kindly take necessary action against these unknown boys. I have heard the statement, which is correct.. Sd/-Davinder Singh above named Mobile 7814618501.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 10.7.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that the prime basis of implicating the petitioner into the FIR in question was a secret information. Learned counsel has further submitted that the prime prosecution witness PW-Davinder Singh (FIR-complainant/victim) has turned hostile when examined as a prosecution witness on 27.1.2026 and, thus, the trial is not likely to culminate into conviction. Learned counsel has further submitted that the petitioner is a man with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 16.3.2026 in Court, which is taken on record.



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

6. The petitioner was arrested on 10.7.2025 wherein after investigation was carried out; challan was prepared on 19.7.2025 and subsequently filed. Total 7 prosecution witnesses have been cited, out of which only one has been examined till date. It is thus indubitable that culmination of trial will take its own time. The rival contention of learned counsel for the parties; including the weightage/veracity required to be attached to the testimony of hostile witness; shall be gone into 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 16.3.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 7 months and 23 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



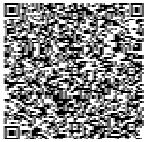
upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in *CRM-M No.38822-2022* 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 CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/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 cell-phone 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/Illaq 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 CJM/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.

(SUMEET GOEL)
JUDGE

17.3.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No