



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

CRM-M-14352-2026
Date of decision: 20.03.2026

DEEPAK KUMAR @ MONU

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Ms. Meenu, Advocate for the petitioner.
(through video conferencing)

Mr. Sandeep Kumar, DAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. By way of the present petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner is seeking regular bail in case bearing FIR No.26 dated 20.01.2026 registered under Sections 310(4), 310(5), 304 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 25 of Arms Act at Police Station City South, Moga.

2. Brief facts of the present case are that on 20.01.2026, the police party received a secret information to the effect that petitioner along with co-accused are habitual of committing dacoity and they are sitting in outer ground of D.M. College and are armed with deadly weapons. Upon which, a raid was conducted at disclosed place and all the accused including the petitioner were apprehended along with their respective weapons. Petitioner was apprehended with one baseball bat. Hence, the FIR was registered.

3. Learned counsel for the petitioner contended that the petitioner is in custody for the last 02 months; he is falsely involved in this case as story of



the prosecution is untrue; the petitioner was picked up from his home and not from the D.M. College ground at 6:00 PM as projected by the police in the FIR and in this regard, a footage in the form of CD is annexed with the paper book as Annexure P-2; petitioner is not required for custodial interrogation and has been remanded to judicial custody As such, learned counsel prayed for grant of regular bail to the petitioner.

4. Learned State counsel placed on record the custody certificate of the petitioner and opposed the contentions made by learned counsel for the petitioner by submitting that investigation is still going on; weapon of offence i.e. one baseball bat was recovered from the possession of the petitioner; he is also involved in two more cases. Hence, learned State counsel prayed for dismissal of the present petition.

5. Heard.

6. Keeping in view the facts and circumstances of the present case and the contentions raised by learned counsel for the petitioner as well as learned State counsel that the petitioner is in custody since 21.01.2026 i.e. for the last 02 months; he is not required for custodial interrogation and has been remanded to judicial custody; all the witnesses are police official, so there is no apprehension that the petitioner would tamper with the prosecution evidence; the trial of the case will take sufficient time to conclude, this Court finds merit in the present petition and no fruitful purpose would be served by keeping the petitioner in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability of accused is to be decided after appreciating evidence adduced by both the parties and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this



Court deems it a fit case to grant the concession of regular bail to the petitioner.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

March 20, 2026
manisha

(SUBHAS MEHLA)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |