



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

220

**CRM-M No.14035 of 2026
Date of decision : 18.5.2026
Date of uploading : 18.5.2026**

Avtar Singh @ TaruPetitioner
Versus
State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. G.S. Dhillon, Advocate, for the petitioner
Mr. Deepak Grewal, DAG, Haryana

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.161 dated 11.6.2025 under Sections 309(4) and 317(2) of Bharatiya Nyaya Sanhita, 2023, registered at Police Station Mullana, District Ambala.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Sir, The copy of the complaint is as follows. To, The SHO Saheb, Police Station Mullana. Sir, It is stated that I Jasbir Singh son of Amar Singh, am a resident of Village Talakor, Thana Chappar, District Yamunanagar. Than on 09.06.2025, I along with my wife Surinder Kaur had gone to Mithapur to get medicine on motorcycle No. HR02P 5483. Around 1:30 PM we started back from Mithapur and around 2:00 PM reached Dosadka



Bridge, one young boy came from behind on a motorcycle and snatched the gold ear-ring from the right ear of my wife Surinder Kaur and ran away towards Dheen. The said person was wearing a blue jeans with a check shirt and slippers in the feet and was riding a Bajaj Discover Motorcycle. Legal action be taken against the said person. I can recognize/identify him when he comes before me. I went home that day and today I have come to Police Station Mullana to submit the complaint. -Sd- Jasbir Singh 9896909931.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 4.10.2025. 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 urged that the FIR –complainant and the victim also stand examined and there is no likelihood of the petitioner interfering with the prosecution evidence. Thus, regular bail is prayed for.

4. Learned State counsel has filed reply by way of affidavit of Suresh Kumar, HPS, Deputy Superintendent of Police, Barara, Ambala, in Court today. The same be kept on record. Raising submissions in tandem with the said reply, 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 15.5.2026 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 4.10.2025 wherein after investigation was carried out and challan stands presented on 28.10.2025.



Charges were framed in this Court on 15.11.2025. Total 10 prosecution witnesses have been cited, out of which prime prosecution witnesses, i.e. FIR-complainant as also victim stand. It is thus indubitable that culmination of trial will take its own time. The rival contentions raised at Bar give rise to debatable issues which 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 15.5.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 7 months and 12 days. As per the said custody certificate, the petitioner is stated to be involved in multiple other FIR(s). 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.

2026:PHHC:077751



CRM-M No.14035 of 2026

-5-

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

18.5.2026
Ashwani

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