

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

2026:PHHC:054251



(241)

CRM-M-14062-2026

Date of Decision: 08.04.2026

Date of uploading: 08.04.2026

Manish @ Baba

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR. JUSTICE SUMEET GOEL.

Present:- Mr. J.P. Jangu, Advocate for the petitioner.

Mr. Gurmeet Singh, A.A.G., 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.709 dated 26.11.2025 registered under Sections 140(3) (365 of IPC), 3(5) (34 of IPC) of BNS, 2023 at Police Station Civil Lines, Sirsa, District Sirsa.

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

“To, The Police Chowki Incharge, Huda, Sirsa, Sir, it is requested that I Rajvir Kaur wife of Gorkha Singh is resident of Village Hassu, District Sirsa. Today my son Kuldeep Singh and my daughter Jyoti came to Jagran of our relatives Rajender Singh son of Ramswaroop, resident of Ramu, Rajasthani Wali Gali, Sirsa. At time about 10 PM at night, 6-7 unknown persons took away my son Kuldeep by abducting forcibly in their vehicle number not known. They took away him in White Color Bolero. Legal action be taken

against unknown persons and my son be recovered. I shall be highly thankful to you. SD/- RTI Rajvir Kaur.”

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 26.11.2025. Counsel has submitted that the petitioner has been falsely implicated in the FIR in question as a previous FIR was registered against the complainant side/his relatives regarding fraud/money dispute. Learned counsel has further submitted that the petitioner has already suffered incarceration for more than 04 months. Counsel has submitted that the trial emanating from the FIR in question is a Magisterial trial, culmination whereof will take long. 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 06.04.2026 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 26.11.2025, wherein investigation was carried out and challan stands presented on 23.01.2026. Total 10 prosecution witnesses have been cited out of which none has been examined till date. It is, thus, indubitable that conclusion of trial will take long. The rival contention of learned counsel for the parties; as to whether the petitioner has been falsely implicated into the FIR in question, shall be gone into, during the course of the 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.

7. As per custody certificate dated 06.04.2026 the petitioner has suffered incarceration for 04 months and 11 days and has been shown to be involved in two other cases. 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***.

8. Suffice to say, the further detention of the petitioner in custody is not required in the facts and circumstances of the case.

9. In view of above, the petition in hand is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned 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/Illaqa Magistrate.

(vii) The petitioner shall not in any manner try to delay the trial.

10. 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.

11. Ordered accordingly.

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

08.04.2026

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(SUMEET GOEL)
JUDGE

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