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

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Date of decision : 07.04.2026

NITIN SHARMA ALIAS CHELU

... PETITIONER

Versus

STATE OF PUNJAB

.. RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Arun Kumar, Advocate for the petitioner.

Mr. Surinderjit Singh Nahar, AAG, Punjab.

H.S. Grewal, J.(Oral)

1. This petition has been filed by the petitioner under Section 483 BNSS, 2023 (corresponding Section 439 Cr.P.C.) for grant of regular bail in case FIR No.83 dated 31.10.2023 under Sections 379-B(2), 411, 201 & 34 IPC (corresponding Sections 304, 317(2), 238, 3(5) of BNS, 2023), registered at Police Station Mohkampura, Amritsar.

2. The case of the prosecution is that the petitioner, along with his two co-accused, allegedly threatened the complainant with a *datar* and thereafter, snatched his mobile phone, gold earrings, and motorcycle. During the course of investigation, co-accused Paramjit Singh @ Pamma was arrested, from whom the stolen motorcycle was recovered. The said co-accused suffered a disclosure statement to the effect that he, along with the present petitioner and another co-accused, namely, Daddu had committed the alleged offence. The

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role attributed to the petitioner is that he sold the gold earrings belonging to the complainant.

3. Learned counsel for the petitioner, however, submits that the petitioner was not named in the FIR and was arraigned as an accused on the basis of disclosure statement of co-accused Paramjit Singh @ Pamma. Besides the disclosure statement, there is no incriminating material which would connect him with the alleged offence. He also submits that the petitioner is in custody for the last more than 01 year, 05 months and 08 days and co-accused Paramjit Singh @ Pamma and Akashdeep Singh @ Dud have already been granted bail by the Coordinate Bench of this Court in CRM-M-24058-2026 and CRM-M-64766-2024 on 30.08.2026 and 13.01.2025 respectively. Although the petitioner is involved in other cases but he is on bail in that case. He, therefore, prays for release of the petitioner on regular bail as the trial is likely to take a long time as only charges have been framed and none of the prosecution witness has been examined so far.

4. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for the last more than 01 year, 05 months and 08 days. He, upon instructions, submits that only charges have been framed and none of the prosecution witness has been examined so far.

5. I have heard the learned counsel for the parties and perused the record.

6. In view of the above submissions of learned counsel for the parties and keeping in view the facts that the petitioner is in custody for the last more



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than 01 year, 05 months and 08 days, co-accused(s) have already been granted bail and that the trial is likely to take a long time as none of the prosecution witness has been examined so far, therefore, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial as the continuous detention of the petitioner would not serve the ends of justice.

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 bail bonds, surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of his bail.

April 07, 2026
Sonia

(H.S.GREWAL)
JUDGE

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