



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(258)

CRM-M-22512-2026(O&M)
DATE OF DECISION:29.04.2026

Farid @ Fariad

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr.Gaurav Kalsi Advocate, for the petitioner.
Mr. Subhash Godara, Addl. AG, Punjab.

SUBHAS MEHLA, J (ORAL)

1. By way of present petition filed under Section 483 BNSS, 2023, petitioner is seeking **regular bail** in case bearing FIR No.176 dated 14.11.2025, under Sections 309(6), 3(5) of BNS and Section 238 BNS (added later on), registered at Police Station Bhogpur, District Jalandhar.
2. Brief facts of the case as per FIR are that, on 13.11.2025, the complainant Mohammad Sohraab was intercepted near Dalli Stadium by two persons on a motorcycle, who assaulted him with a pointed weapon and robbed Rs.2,000/-. The assailants later came to be identified as Bittu and Fariyad (present petitioner).
3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case; that no test identification parade was conducted by the police; that investigation is complete, challan presented and charges have been framed him; that complainant has been examined in this case, who has not supported the case of prosecution; that co-accused Bittu has already been granted bail by this Court vide order dated 24.04.2026; that trial will take long time to conclude; and that no



fruitful purpose would be served by keeping the petitioner behind the bar. Hence, prayer for grant of regular bail to the petitioner is made. In support of his contention, learned counsel also placed on record statement of complainant recorded before the learned trial Court to show that he has not supported the case of prosecution. Same is taken on record.

4. In pursuance of advance notice, Mr.Subhash Godara, Addl. AG, Punjab, appears and files custody certificate of the petitioner, same is taken on record. Custody certificate reveals that the petitioner is in custody for the last five months and eleven days and is also involved in one another case under Section 380/457 IPC.

5. Heard.

6. Keeping in view the facts and circumstances of the present case and the contentions raised by learned counsel for the parties, this Court is of considered opinion that concession of bail cannot be denied just as measure of punishment as culpability of the accused will be decided at the final stage by the trial Court after appreciating the evidences adduced by both sides and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception. Accordingly, this Court deems it a fit case to grant the concession of regular bail to the petitioner on the following aspects:

- i. That the petitioner is in custody for the last five months and eleven days;
- ii. That the complainant has not supported the case of the prosecution before the learned trial Court;
- iii. That the co-accused Bittu has already been granted the concession of regular bail by this Court vide order dated 24.04.2026;



- iv. That there is no direct evidence to prove the complicity of the petitioner in the present matter;
- v. That the trial will take sufficient time to conclude and
- vi. That no fruitful purpose would be served by keeping the petitioner in custody for any further period;

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.

29.04.2026
mamta

(SUBHAS MEHLA)
JUDGE

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