

2026:PHHC:061029



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

239

CRM-M-20597-2026
Date of Decision: 22.04.2026

PRABHJIT SINGH @ PRABH

... Petitioner

VERSUS

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY.

Present: Mr. G.S. Dhot, Mr. G.S. Mehra and
Ms. Anjali, Advocates for the petitioner.

Mr. M.S. Atwal, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer in the present petition filed under Section 483 of BNSS is for grant of regular bail to the petitioner in case FIR No.324 dated 19.10.2025, registered under Sections 7 and 8 of Prevention of Corruption Act and Section 61(2) of BNS, 2023 and Section 42 and 52-A of Prisons Act at Police Station Islamabad, District Amritsar.

2. Learned counsel contends that the petitioner has been in custody for 5 months and 11 days. He alleges false implication. The petitioner is an inmate in Central Jail, Amritsar and no recovery from his person has been effected, though allegedly from a bag lying on his bed, a mobile phone was recovered, but the same did not belong to him. Co-accused Parlad Singh @ Prehlad Singh, who was the jail official and accused of taking money from the inmates in lieu of providing banned items, has already been granted bail by this Court after being in custody for about

six months. The challan stands presented on 18.12.2025. Charges have not yet been framed. The petitioner is involved in 1 more case. Reliance is placed on the judgment passed by Hon'ble the Supreme Court titled as **Maulana Mohd. Amir Rashadi vs. State of U.P. and others**, 2012(2) SCC 382.

3. The custody certificate dated 21.04.2026, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for the last 05 months 12 days.

4. Learned State counsel opposes the bail on the ground that a mobile phone was recovered from a bag lying at the bed of the petitioner wherein the two screen shots of online payments worth Rs.34,000/- and Rs.40,000/- respectively were found. However, he is unable to controvert the submissions with regard to stage of the case and co-accused being on bail.

5. Heard.

6. Hon'ble The Supreme Court in the case of **Maulana Mohd. Amir Rashadi** (Supra) had held that, "As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court, etc."

7. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 05 months and 12 days; co-accused is on bail, there are 18 prosecution witnesses, however charges have not yet been framed, the trial is likely to take a considerable time, further incarceration of the petitioner

would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

8. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

9. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

10. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

APRIL 22, 2026.
Rajender

(AMAN CHAUDHARY)
JUDGE

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