



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

CRM-M-21765-2026

Date of Decision: 27.04.2026

Roop Chand

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Chanakya Batta, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

Vinod S. Bhardwaj, J. (ORAL)

1. Present petition has been filed under Section 483 of the BNSS for seeking regular bail in case arising out of FIR No.09 dated 15.01.2026, registered under Sections 309(4) and 3(5) of the BNS, 2023 (earlier Sections 392 and 34 IPC), at Police Station Balachaur, District SBS Nagar.
2. The FIR in question was registered on the statement of complainant Mohinder Lal son of Assa Ram and the facts leading to registration of the same reads thus:-

“The complainant along with his wife Kamlesh Rani and daughter-in-law Dimple, was going to Village Sandrewal on his Car bearing registration No. PB-20-D-4345 from Balachaur side. Dimple, daughter-in-law of complainant was sitting on the passenger seat of the car, while Kamlesh Rani, who is visually impaired, was sitting on the rear seat. On 05.01.2026, at about 01:30 pm, when complainant reached near the school in the area of Village Bungri, a person in



Sadhu attire, came there and signaled the complainant to stop the car. The complainant stopped the car and the said person came and requested for water. Three clean shaven persons, two on motorcycles, were also present near the Sadhu. Since complainant was not having water, he went to bring water from nearby shop. In the meanwhile, the said person along with his accomplices started a scuffle with the wife and daughter-in-law of the complainant and started snatching gold ornaments from them. As the complainant came forward to rescue, the three persons caught hold of the complainant and the Sadhu type person snatched gold chain along with Singi and gold ring from the daughter-in-law of the complainant and fled away on two motorcycles.”

3. Learned counsel appearing on behalf of the petitioner contends that the incident in question took place on 05.01.2026, however, the FIR has been registered on 15.01.2026 i.e. after a delay of 10 days. He submits that no reason has been assigned by the complainant as to why he did not inform the Police about the incident on the same day considering that the incident occurred at around 1.30-2.00 pm. He further contends that there was no occasion for the complainant to have known the petitioner as he belongs to District Hoshiarpur while the complainant is a resident of SBS Nagar and the circumstances in which the petitioner has been specifically named gives rise to a suspicion. He further contends that the petitioner has no criminal antecedents and no recovery of any nature whatsoever has been effected from him. He was taken in custody on 16.01.2026 i.e. on the very next day and has been in custody since then. He also contends that there are total 18 prosecution witnesses, but none has been examined, thus, conclusion of trial will take sufficiently long time.



4. Learned State counsel does not dispute the aforesaid facts and submits that the stolen ornaments have been recovered from co-accused Sonu. He contends that the petitioner herein was the person driving the getaway motorcycle on which the accused fled the scene. However, learned State counsel is not in a position to establish that the petitioner was owner of the motorcycle.

5. Heard learned counsel for the parties and perused the paper-book.

6. Taking into consideration the arguable issues which arise with respect to involvement of the petitioner in the present case, the reasons for delay in lodging the FIR needs to be explained by the prosecution and also noticing the absence of recovery and clean antecedents of the petitioner along with the fact that the conclusion of trial will take long time, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on furnishing bail and surety bonds to the satisfaction of learned trial Court/Duty Magistrate/CJM concerned.

7. Anything observed here-in-above shall not be taken as an expression of opinion on the merits of the case pending before the trial Court.

(VINOD S. BHARDWAJ)

JUDGE

27.04.2026

SN

Whether Speaking/Reasoned :

Yes/No

Whether Reportable :

Yes/No