



CRM-M-23365-2026 (O&M) -1-

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

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**CRM-M-23365-2026 (O&M)
Decided on: 01.05.2026**

MANJIT**.....Petitioner****Versus****STATE OF PUNJAB****.....Respondent****CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA**

Present: Mr. Gaurav Kalsi, Advocate
for the petitioner.

SUBHAS MEHLA, J. (Oral)

1. This is the second petition which has been filed under Section 483 BNSS, 2023 seeking grant of regular bail to the petitioner in case bearing FIR No.176 dated 14.11.2025 under Sections 309(6), 3(5) of BNS, 2023, and Section 238 of BNS added later on registered at Police Station Bhogpur, District Jalandhar Rural.

2. Brief facts of the case are that the FIR was registered on the statement of Mohammad Sohraab that he is a scrap dealer and collects/sells scrap by roaming on his cycle. On 13.11.2025 at around 12.00 PM, while he was taking/selling scrap on his cycle, two young persons came on a motorcycle which did not bear any registration number and stopped him. Pillion rider was armed with some pointed weapon and he gave a blow with the same on the complainant's head and



took out Rs.2000/- from the pockets of his pants. Then both the culprits fled away. However, later he came to know that he was attacked by Bittu and Fariyad.

3. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in this case; he is not named in the FIR; there is delay of 01 day in lodging of FIR in the present case; the co-accused namely, Bittu has already been granted the concession of regular bail vide order dated 24.04.2026 passed by this Court in CRM-M-20740-2026. A copy of the said order has been supplied in Court today and the same is taken on record. It is further contended that the complainant in this case has already been examined and he has not supported the case of the prosecution; the petitioner has been in custody since 17.11.2026; trial is likely to take long time, as such, no fruitful purpose would be served by keeping the petitioner behind the bars.

4. Notice of motion.

5. On advance notice, Mr. Sandeep Kumar, DAG, Punjab, who is present in the Court, accepted notice on behalf of respondent-State and opposed the concession of regular bail to the petitioner by way of filing of custody certificate dated 30.04.2026 and submitted that the petitioner is having criminal antecedents & is involved in 02 more cases. However, it is fairly admitted that the case of present petitioner is on similar footing as that of co-accused namely, Bittu, who has already been granted bail by this Court vide order dated 24.04.2026 passed in CRM-M-20740-2026.

6. Heard.



7. Taking into consideration the facts & circumstances of the present case, the rival contentions of the parties & without commenting upon the merits of the present case, this Court finds merit in the present petition on the following aspects:

- (I) he has not been named in the present FIR;
- (II) co-accused namely, Bittu to whom injury caused to the complainant is attributed, has already been granted bail by this Court vide order dated 24.04.2026 passed in CRM-M-20740-2026;
- (III) the complainant in this case has already been examined and has not supported the case of the prosecution;
- IV) the petitioner has been in custody since 17.11.2026 i.e. for the last more than 05 months & 13 days;
- (V) Trial is likely take sufficient time to conclude and as such, no fruitful purpose would be served by keeping him in custody for indefinite period

8. Concession of bail cannot be denied just as a measure of punishment as culpability is to be decided by trial Court after appreciating evidence adduced by the parties, and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

9. Therefore, without expressing any opinion on the merits of the case, the present petition is **allowed**. The petitioner is directed to be released on regular bail on his furnishing requisite bonds to the



satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

10. Nothing observed herein shall be construed as an opinion on the merits of the main case.

(SUBHAS MEHLA)
JUDGE

01.05.2026
Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO