

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:080377



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CRM-M-27812-2026 (O&M)
Date of decision:21.05.2026

Sukhwinder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ashish Aggarwal, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant one is the second petition as filed by the petitioner seeking benefit of regular bail in case arising out of FIR No.22, dated 15.06.2025, registered under Section 351(2) of the BNS and Section 67-B of the Information Technology Act, 2000, at Police Station Cyber Crime, District Amritsar City. The previous petition as filed by him bearing CRM-M-55112-2025, had been dismissed vide order dated 16.10.2025.

2. It is argued by learned counsel for the petitioner that after dismissal of his previous petition, a period of more than 07 months has expired. He is even otherwise in custody for a period of about 10 months. The victim as well as his father, who were the most material witnesses have already been examined. As such, there are no chances of his intimidating these witnesses. He is in custody since long. His

continued detention would not serve any useful purpose. The subject offences are triable by the Magistrate. Each day spent by him in custody has furnished a fresh ground to him to seek concession of bail. With these broad submissions, it is argued that he deserves to be extended the benefit of bail.

3. Notice of motion.

4. Learned State counsel has advance notice of the petition and is ready to argue the matter. While placing on record custody certificate of the petitioner, she has argued that the instant one being the successive petition, is not maintainable. It is further submitted that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended the benefit of bail.

5. This Court has heard the rival submissions made by learned counsel for the parties.

6. So far as the question of maintainability of the petition is concerned, it may be mentioned that an accused has a right to make successive applications for grant of bail, and it is the duty of the Court, while entertaining such a subsequent bail application, to consider the reasons and grounds on which the earlier bail petition was rejected. The fresh grounds which persuade the Court to take a view different from the one taken in the earlier application are also required to be recorded. Reference in this regard can be made to ***Prasad Shrikant Purohit v. State of Maharashtra (2018) 11 SCC 458***, wherein it was so observed.

7. In this case, the petitioner is in custody for a period of

about 10 months. Though, the allegations *prima facie* make out a case for commission of subject offences against the petitioner, however, on a perusal of the record, it is apparent that there are no chances of conclusion of the trial in near future as only 02 out of 09 prosecution witnesses have been examined so far. However, the material witnesses including the victim have been examined and there are no chances of the petitioner's intimidating them. There is nothing on record to show that if released on bail, the petitioner will not participate in the trial or will abscond or indulge in similar offences. Each day spent by an accused in custody provides a new cause of action to the petitioner to seek bail afresh. Taking into consideration the above discussed facts, the period spent by the petitioner in custody, the nature of the allegations as levelled against him and the attendant facts and circumstances, this Court is of the opinion that further pre-trial incarceration of the petitioner is not required. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing personal as well as surety bonds to the satisfaction of the learned trial Court, but subject to the condition that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case. He shall appear before the learned trial Court on each and every date of hearing except when his presence has been exempted by the trial Court. He shall surrender his passport, if any, furnish details of his cell phone and Aadhar card, and shall not change his mobile number(s) during the pendency of the trial.

13. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

21.05.2026

(MANISHA BATRA)
JUDGE

harjeet

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