

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CRM-M No.30364 of 2026 (O&M)

Date of Decision: 01.07.2026

Angrej Singh @ Ladi

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

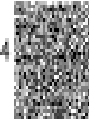
Present: Mr. Yaseen Sethi, Advocate for the petitioner.

Mr. Rohit Bansal, Sr. DAG Punjab.

SURYA PARTAP SINGH, J. (Oral):

This is first petition for bail filed by the petitioner with regard to a case arising out of FIR No. 60 dated 23.06.2025 lodged in Police Station Ladhawal, District Ludhiana. The above mentioned FIR has been slapped for the commission of offence punishable under Sections 310(2) and 351(3) of the Bharatiya Nyaya Sanhita 2023, hereinafter being referred to as “BNS” only.

2. The above mentioned FIR came into being at the instance of ‘Nardev Kumar’, hereinafter being referred to as “complainant” only. It was stated by the complainant that he was working as Salesman at a liquor vend, namely ‘Monrich Liquor Shop’. According to complainant at about 03.30 A.M. he woke up due to sound of breaking of shutter of the vend. As per above named complainant, he saw that by breaking the lock fixed on the grill of the vend five persons had entered therein, and three of them were muffled faced. It was further stated by the complainant that one of the above said assailant



threatened him to kill by showing a steel rod and the remaining assailants took away 36 bottles of brand 'Grand Affair' costing ₹22,670/-. The complainant further stated that since he had given message about the breaking of lock of the liquor vend to its owner, namely 'Gopi', the team of liquor vend owner arrived at the spot and with a motive to stop the assailants from running away rammed their vehicle in the car of assailants. As per complainant, although four of the assailants managed to flee from the spot, but one was apprehended by the members of above said team.

3. It is the case of prosecution that in view of above mentioned information, formal FIR of this case was lodged and the investigation taken up.

4. **Notice of motion.**

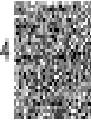
5. Since advance notice has already been served upon the State, Mr. Rohit Bansal, Sr. DAG Punjab, has appeared on behalf of respondent-State. Hence, service of notice upon the State is hereby dispensed with. He has filed custody certificate of the petitioner. The same be taken on record. No formal reply has been filed by the State. However, the learned State counsel has orally opposed the present petition.

6. Heard.

7. The record has been perused carefully.

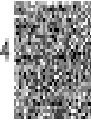
8. A perusal of the record shows that following are the relevant factors which are required to be taken into consideration for a decision in the present petition:-

- i) that the petitioner is in custody for a period of more than eleven months;



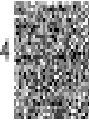
- ii) that the petitioner was implicated in the present case on the basis of disclosure statement of co-accused, namely 'Davinder Singh' who was caught on the spot. The above mentioned disclosure statement was recorded when the above named co-accused was already in police custody;
- iii) that the name of petitioner does not figure in the FIR.
- iv) that as per allegations contained in the FIR itself three of the assailants were with muffled face and after arrest their test identification parade has not been conducted before the Magistrate;
- v) that nothing has been left to be recovered from the possession of petitioner;
- vi) that the trial is not likely to be concluded in near future;
- vii) that the detention of petitioner in judicial lock-up is not likely to serve any purpose;
- viii) that there is nothing on record to show that if released on bail, the petitioner may tamper with the evidence or influence the witnesses;
- xi) that there is nothing on record to show that if released on bail, the petitioner will not co-operate/participate in the trial.

9. In the present case, the principles of law laid down by the Hon'ble Supreme Court of India in the case of 'Dataram versus State of Uttar Pradesh and another', (2018) 3 SCC 22, are relevant, wherein it has been observed that "a fundamental postulate of criminal jurisprudence is the presumption of innocence, meaning thereby that a person is believed to be innocent until found guilty. However, there are instances in our criminal law where a reverse onus has been placed on an accused with regard to some specific offences but that is



another matter and does not detract from the fundamental postulate in respect of other offences. Yet another important facet of our criminal jurisprudence is that the grant of bail is the general rule and putting a person in jail or in a prison or in a correction home (whichever expression one may wish to use) is an exception. Unfortunately, some of these basic principles appear to have been lost sight of with the result that more and more persons are being incarcerated and for longer periods. This does not do any good to our criminal jurisprudence or to our society. There is no doubt that the grant or denial of bail is entirely the discretion of the judge considering a case but even so, the exercise of judicial discretion has been circumscribed by a large number of decisions rendered by this Court and by every High Court in the country. Yet, occasionally there is a necessity to introspect whether denying bail to an accused person is the right thing to do on the facts and in the circumstances of a case”.

10. The principles laid down by the Hon’ble the Supreme Court of India in the case of ‘Satender Kumar Antil v. Central Bureau of Investigation’ (2022) 10 SCC 51 are also relevant in this case. In the abovementioned case, it has been observed that “the rate of conviction in criminal cases in India is abysmally low. It appears to us that this factor weighs on the mind of the Court while deciding the bail applications in a negative sense. Courts tend to think that the possibility of a conviction being nearer to rarity, bail applications will have to be decided strictly, contrary to legal principles. We cannot mix up consideration of a bail application, which is not punitive in nature with that of a possible adjudication by way of trial. On the contrary, an ultimate acquittal



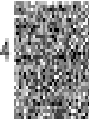
with continued custody would be a case of grave injustice”.

11. Recently, in the case of ‘Tapas Kumar Palit Vs. State of Chhattisgarh’, 2025 SCC Online SC 322, the Hon’ble Supreme Court of India has observed that “if an accused is to get a final verdict after incarceration of six to seven years in jail as an undertrial prisoner, then, definitely, it could be said that his right to have a speedy trial under Article 21 of the Constitution has been infringed”. It has also been observed by the Hon’ble Supreme Court of India in the abovementioned case that “delays are bad for the accused and extremely bad for the victims, for Indian society and for the credibility of our justice system, which is valued. Judges are the masters of their Courtrooms and the Criminal Procedure Code provides many tools for the Judges to use in order to ensure that cases proceed efficiently”.

12. To elucidate further, this Court is conscious of the basic and fundamental principle of law that right to speedy trial is a part of reasonable, fair and just procedure enshrined under Article 21 of the Constitution of India. This constitutional right cannot be denied to an undertrial prisoner, as mandated by Hon’ble Apex court in ‘Balwinder Singh versus State of Punjab and another’ 2024 SCC Online SC 4354.

13. Taking into consideration the cumulative effect of all the aforesaid factors, it is hereby held that the petitioner is entitled to the concession of bail, and that the present petition deserves to be allowed.

14. Accordingly, without commenting anything on the merits of the case, the present petition is hereby **allowed**. The petitioner is hereby ordered



to be released on bail on furnishing personal bond and surety bond(s) to the satisfaction of learned trial Court. However, the abovesaid benefit shall be subject to following conditions:-

- i) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to the Court or to any other authority;
- ii) that the petitioner shall at the time of execution of bond, furnish the address to the Court concerned and shall notify the change in address to the trial Court, till the final decision of the trial; and
- iii) that the petitioner shall not leave India without prior permission of trial Court.

15. It is, however, made clear that any observation made hereinabove is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

(SURYA PARTAP SINGH)
JUDGE

01.07.2026

Manoj Bhutani

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