



CRM-M-39620-2025

1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(212/3)

CRM-M-39620-2025
DATE OF DECISION: 06.02.2026

Hardev Singh

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr.Manish Parbhakar, Advocate, for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

SUBHAS MEHLA, J (ORAL)

1. By way of the present petition, the petitioner is seeking regular bail in case FIR No.107 dated 26.06.2024 (Annexure P-2), under Sections 394, 323, 411, 120-B and 201 IPC and Section 25,54,59 of Arms Act, registered in Police Station Civil Lines, Amritsar.

2. Learned counsel for the petitioner contended that the petitioner has nothing to do with the alleged dacoity and he cannot be punished for the deeds of his son Gurtej Singh against whom the allegation is that he is involved in this case and the only allegation against the present petitioner is that he received the proceeds of dacoity which is recovered from him and for this he is in custody for the last one year and seven months; except this there is nothing on record to connect petitioner with the alleged offence; as per prosecution version, there is no allegation that he is directly involved in the alleged dacoity; trial will take sufficient time to conclude as an application has been moved by the prosecution for amendment of charge and out of 35 prosecution witnesses, no witness has yet been examined in the present case.



CRM-M-39620-2025

2

3. On the other hand, Mr. Sandeep Kumar, DAG, Punjab, opposed the bail petition by submitting that the present petitioner was arrested in this matter and, after his arrest, cash amount of ₹4,50,000/- was recovered from him, which is the subject matter of the present case; that the recovery has been duly effected in accordance with law and clearly establishes the involvement of the petitioner in the alleged offence. Therefore, no ground for grant of bail is made out at this stage as an application for amendment of the charge is filed and material witnesses are yet to be examined.

4. Heard.

5. Keeping in view the facts and circumstances of the case and the fact that the only role assigned to the present petitioner is that he received an amount of Rs.4,50,000/- out of the proceeds of the crime, which was recovered from his possession when he was arrested; the present petitioner is in custody for the last one year and seven months; have clear antecedents; not involved in any other case; trial will take sufficient time as out of 35 prosecution witnesses none has been examined and case is fixed for 16.02.2026 for amendment of charge; as concession of bail cannot be denied just as measure of punishment as culpability of the accused will be decided at the final stage by the trial Court after appreciating the evidences adduced by both sides and it is 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.

6. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.



CRM-M-39620-2025 3

- 7. However, petitioner is directed not to contact any witness directly or indirectly during trial.
- 8. Nothing observed hereinabove shall be construed to be an expression of an opinion by this Court on merits of the case.

06.02.2026
mamta

(SUBHAS MEHLA)
JUDGE

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