



CRM-M-45321-2025 (O&M) -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-45321-2025 (O&M)
Date of Decision: 03.02.2026

Manjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. L.M. Gulati, Advocate
for the petitioner.

Mr. Amritpal Singh, DAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

CRM-42070-2025

This application has been filed for placing on record the medical record of the petitioner and his photographs (Annexure P-5 & P-6).

Application is allowed, as prayed for and the medical record of the petitioner and his photographs (Annexure P-5 & P-6) are ordered to be taken on record.

Main Case

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.18 dated 25.02.2025 registered under Sections 303(2), 317(2), 341(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Cantonment, District Amritsar City.



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2. Brief facts as per the prosecution case are that SI Rajmohinder Singh along with his fellow police officials was on patrolling duty and on the basis of secret information, recovered stolen car with fake number plate from the house of sister of the petitioner.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He argued that the petitioner has been roped in the FIR because of previous enmity with police officials because of complaint given against them by his sister. He further submits that one FIR is already registered at Police Station Tilak Marg, Delhi vide FIR No.379 dated 23.10.2023 under Section 379 of IPC regarding the same occurrence. He submits that a petition i.e. CRM-M-37927-2025 has already been filed before this Court for quashing of the present FIR. The petitioner is in custody since 03.03.2025. The investigation in this case is complete and challan also stands presented but charges are yet to be framed. He further submits that the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has filed the custody certificate of the petitioner, which is taken on record. Status report has already been filed in the matter and while referring to the same, he has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. He argued that the petitioner was specifically named in the FIR. He further argued that the petitioner is the main accused who had stolen both the cars from Delhi after



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affixing fake number plates and as such, he has actively participated in the crime. He has further submitted that the petitioner is involved in multiple other cases meaning thereby he is a habitual offender.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last 11 months; investigation is complete; challan stands presented; charges are yet to be framed; the complicity of the petitioner is a matter of trial; which is proceeding at snail's pace, and will take a long time to conclude. Thus, no useful purpose would be served by detaining him in further custody. His continued detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

7. As regards the submission of learned State counsel that petitioner is involved in other/one more criminal case(s), reference is placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012 (2) SCC 382*** in which, it is held that the facts and circumstances of the present case are to be seen while deciding a bail application and the bail application of the petitioner cannot



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be rejected solely on the ground that the petitioner is involved in other/another case(s). The relevant portion of the said judgment is reproduced herein-below:-

"As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."

8. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

(RUPINDERJIT CHAHAL)
JUDGE

03.02.2026
D.Bansal

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