



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

116+225

CRM-M-50072-2025 (O&M)

Date of decision: 20.01.2026

Tejbir Singh alias Monu

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. B.D. Sharma, Advocate for the petitioner

Mr. Manipal Singh Atwal, DAG Punjab

AMAN CHAUDHARY, J. (ORAL)**CRM-45090-2025**

For the reasons mentioned in the application, same is allowed.

Annexure P-5 is taken on record, subject to all just exceptions.

CRM-M-50072-2025 (O&M)

1. Prayer in the present petition filed under Section 483 BNSS is for grant of regular bail to the petitioner in case FIR No.238 dated 25.10.2024, registered under Sections 281, 106, 324(4), 105, 103, 61(2), 238 BNS (Sections 103, 61(2), 105, 238 BNS added later on 106, 105 BNS deleted) at Police Station Sadar Amritsar, District Police Commissionerate, Amritsar.

2. Learned counsel contends that the petitioner has been in custody for 1 year and about 3 months. He alleges false implication. There is no specific allegation against him of having committed the crime but for his car having been used by the co-accused. Charges have been framed on 01.04.2025, however, out of 27 prosecution witnesses, 4 have been examined including the complainant and eye witness as also before whom extra judicial confession has been recorded, all of whom have not supported the prosecution version. The



petitioner is not involved in any other case.

3. The custody certificate along with short reply dated 19.01.2026/16.12.2025, filed by the learned State counsel are taken on record. As per the same, the petitioner is behind bars for 1 year, 2 months and 18 days.

4. Learned State counsel opposes the bail on the ground that there are specific allegations against the petitioner of having been in conspiracy with the co-accused, who had committed the offence and the car was returned to him thereafter. However, he is unable to controvert the submissions with regard to stage and the petitioner being not involved in any other case.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 1 year, 2 months and 18 days; not involved in any other case; charges were framed on 01.04.2025; material witnesses stand examined, however, have turned hostile and 23 more still remaining, the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

7. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a



specific order of Court.

- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

20.01.2026
M.Kamra

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