

CRM-M-50822-2025

2026:PHHC:002613



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

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Gautam

....Petitioner

versus

State of Punjab

....Respondent

Date of decision: January 13, 2026

Date of Uploading: January 13, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Subhash Kumar, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG Punjab.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.74 dated 06.04.2022, for the offence punishable under Sections 379-B & 34 of the IPC, 1860 (Section 411 of IPC added later on), registered at Police Station Rama Mandi, District Jalandhar.

2. The gravamen of allegations against the petitioner is that Brijesh Kumar, son of Paras Nath, stated that on 05.04.2022, at about 1:30 PM, he was travelling from Lama Pind Chowk towards Kishanpura Chowk in a three-wheeler driven by his friend Gurnek Singh. He was seated on the front seat and was holding his Redmi mobile phone in his hand. When they

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reached near the shop of Dr. Bawa, two unknown persons with short-cut hair approached them from behind on a Pulsar motorcycle. The pillion rider suddenly snatched his mobile phone and fled from the spot. He managed to note down the registration number of the motorcycle as PB-08-DJ-3497. The stolen mobile phone was fitted with SIM numbers 7696565567 and 6390413151.

3. Learned counsel for the petitioner has argued that the petitioner was, initially, arrested on 06.04.2022, he was granted concession of regular bail on 05.07.2022, whereinafter, he continued to appear, but could not appear before the concerned trial Court, on 27.10.2023, on account of health/ depression issues, and the petitioner was declared as proclaimed person, on 09.12.2024. Learned counsel has further argued that, subsequently, the petitioner was again arrested on 29.05.2025 and is in continuous custody since then. Learned counsel has iterated that the petitioner has been falsely implicated into the FIR in question and his non-appearance before the concerned trial Court, after grant of regular bail, was on account of inadvertence and circumstances beyond his control. Thus, regular bail is prayed for.

4. Learned State counsel seeks to place on record custody certificate dated 12.01.2026 and status report by way of an affidavit dated 15.10.2025, in the Court today, which are taken on record. Raising submissions in tandem with the said reply, learned State counsel has vehemently opposed the present petition by arguing that the allegations raised against the petitioner are direct/ serious in nature. Learned State

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counsel has argued that the petitioner has misused the concession of regular bail earlier afforded to him by jumping the same and is likely to do so again.

Thus, dismissal of present petition is entreated for.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. It is not in dispute before this Court that the petitioner was earlier granted concession of regular bail, on merits thereof, on 05.07.2022 and he continued to appear for a period of 01 year and 03 months. Thereafter, it is not disputed that the petitioner is now in custody since 29.05.2025. The custody certificate dated 12.01.2026 reflects that the petitioner has suffered total incarceration of more than 10 months, & is not shown to be involved in any other FIR(s).

Without commenting on merits of the case, this Court deems it appropriate to enlarge the petitioner on regular bail.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.

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- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

January 13, 2026
mahavir

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