



CRM-M-54173-2025 (O&M) -1-

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

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**CRM-M-54713-2025 (O&M)
Decided on: 18.02.2026**

RAMESH KUMAR @ SONU

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Raghav Soni, Advocate for the petitioner.

SUBHAS MEHLA, J. (Oral)

1. The present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking grant of regular bail in case bearing FIR No.53 dated 11.03.2017 under Sections 379, 411 of IPC registered at Police Station Cantonment, Amritsar.
2. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case on the basis of disclosure statement; the petitioner was arrested in the present case on 24.07.2017 by production warrants as he was confined in the Central Jail, Amritsar in another FIR under section 379 B and in that FIR he was released on regular bail; after completion of investigation on 07.02.2020, challan was presented before the trial Court in the absence of present petitioner and thereupon notice was issued to the present petitioner which was neither received by the petitioner nor was he aware about the same and subsequently due to non-appearance before the trial court, the



petitioner was declared as proclaimed person vide order dated 04.10.2024 and the petitioner was again arrested in the present FIR on 24.02.2025 and is in custody since then. It is also contended that the present petitioner is in custody for the last more than 02 years and 01 month and the maximum punishment for the alleged offence is maximum for a period of 03 years.

3. Notice of motion.

4. Mr. Sandeep Kumar, DAG, Punjab, who is present in the Court, accepted notice on behalf of respondent-State and by way of filing of custody certificate dated 17.02.2026 opposed the concession of regular bail to the petitioner and submitted that he is a habitual offender and is involved in 03 more cases. It is further contended that the petitioner if, released on bail, then he may abscond and may flee the process of justice. However, he fairly admits that the petitioner is in custody for 02 years, 01 month and 17 days.

5. Heard.

6. Keeping in view the facts and circumstances of the case and the fact that the present petitioner is in custody for the last more than 02 years and 01 month; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability is to be decided by trial Court after appreciating evidence adduced by the parties, and it is a trite principle of



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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.

7. In view of the ratio of law laid down by Hon'ble Supreme Court in **Prabhakar Tiwari Vs. State of UP and Anr.**, 2020(1) RCR (Criminal) 831 and **Maulana Mohd. Amir Rashadi Vs. State of U.P. and Others**, 2012(2) SCC 382, the involvement of accused in other criminal cases cannot be the sole ground to deny him the concession of bail.

8. 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.

9. Nothing observed herein shall be construed as an opinion on the merits of the main case.

(SUBHAS MEHLA)
JUDGE

18.02.2026

Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO