

2026 PHHC 025772



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-58924-2025

Date of decision: 18th February, 2026

Arjun Rawat

...Petitioner

Versus

Sate of U.T., Chandigarh

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Jatin Khurana, Advocate for the petitioner.
(through V.C.)

Mr. Rahul Arora, Addl. P.P., U.T., Chandigarh.

MANISHA BATRA, J (ORAL):-

The instant one is the second petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 49 dated 02.04.2025 registered under Sections 309(6), 317 and 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Sector 39, Chandigarh. His previous petition bearing CRM-M-29806-2025, had been dismissed vide order dated 05.06.2025.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by the complainant Geeta Chhabra on 02.04.2025, on the allegations that on the same day, she was going towards Sector 40-C, Chandigarh and while walking on cycle track, three youths riding on a black

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Aktiva reached there. They stopped their vehicle and forcibly pushed the complainant, due to which she fell down. They snatched her purse containing cash amount of Rs. 10,000/- and an apple I-phone and then fled away. After registration of FIR, investigation proceedings were initiated. The petitioner and co-accused were apprehended during the course of investigation. They were identified by the complainant as snatchers. On interrogation, they suffered disclosure statement admitting their involvement in the crime. The petitioner got recovered the purse of the complainant along with her Aadhar card. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He has been in custody since long. After dismissal of his previous petition, the trial has not progressed much as not even a single witness has been examined so far. He has no criminal antecedents. His further incarceration would not serve any useful purpose. Each day spent by him in custody has given rise to a fresh cause of action for seeking bail. It is, therefore, argued that the petition deserves to be allowed.

4. *Per contra*, learned State counsel has argued that the previous petition of the petitioner had been dismissed. There is no substantive or drastic change in the circumstances. There are chances of his absconding or committing similar offences if extended benefit of bail. It is, therefore, argued that the petition is not maintainable and that the same is liable to be dismissed.

5. This Court has heard learned counsel for the parties at considerable length.

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6. The petitioner along with the co-accused is alleged to have snatched the purse of the complainant containing money and cell phone. The allegations prima facie make out a case for commission of subject offences against the petitioner. However, he is in custody since 06.04.2025. This factor, in the opinion of this Court, is a ground to move for bail afresh. The Hon'ble Apex Court has observed in a catena of cases that an accused cannot be kept in custody for an indefinite period of time, and the bail application can be considered on its own merits even if it is filed repeatedly. It has also been held that every day spent in custody can provide a new cause of action for filing a bail application under certain circumstances. This principle is a part of the broader approach emphasizing that law prefers bail over jail, aiming to balance the rights of the accused with the requirements of the criminal justice system. Prolonged detention itself is a ground for reconsideration of bail since the settled principle of law is that detention prior to trial should not become punitive. Trial is likely to take time to conclude as all of the prosecution witnesses are yet to be examined. Delay in conclusion of trial generally militates against the most precious fundamental right guaranteed under Article 21 of the Constitution and in such a situation, an accused becomes entitled to get benefit of bail. Taking into consideration the nature of the subject offences, the period spent by the petitioner in custody and the attendant facts and circumstances of the case but without meaning to make any comment upon the merits thereof, this Court is of the considered opinion that the petition deserves to be allowed. Accordingly, the same is allowed and the petitioner is

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ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned.

7. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

18th February, 2026
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |