



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

Sr.No.223

**CRM-M-59530-2025
Decided on : 10.02.2026**

Manpreet Singh @ Manna

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Karan Chaudhary, Advocate
for the petitioner through Video Conferencing.

Mr. Ravinder Singh, DAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.112 dated 29.07.2025, registered under Sections 304 and 3 (5) of the BNS, 2023, at Police Station Dhariwal, District Gurdaspur.

2. Brief facts as per the prosecution case are that the FIR was lodged on the complaint of Angrej Singh, who alleged that the petitioner alongwith co-accused armed with *datar* and *gandasi* snatched Rs.2,000/- and his mobile phone. It is further alleged that the said accused also transferred an amount of Rs.37,000/- from his Goggle Pay account. Hence the present FIR.



3. Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present FIR. He contends that the said incident occurred on 14.07.2025 but the FIR in question was registered on 29.07.2025 i.e. after an unexplained delay of 15 days, casting a serious doubt on the prosecution story. He further submits that the petitioner is neither known to the complainant nor met him earlier, hence, it raises doubt as to how name of the petitioner was known to the complainant. The petitioner is in custody since 11.08.2025. Nothing is to be recovered from him. After completion of investigation, challan has been presented against him; charges have been framed and out of 12 prosecution witnesses, none has been examined till date. 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 as well as the status report. The same are taken on record. He has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. Learned State counsel further submits 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 more than 05 months and 28 days; challan has been presented, charges have been framed; out of 12 prosecution witnesses, none has been examined till date; there is a delay of 15 days in lodging the FIR and the fact that the trial may take a long time to conclude and no useful purpose would be served by detaining the petitioner 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 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. Without commenting on the merits of the case and keeping in view the aforesaid facts and circumstances, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.



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9. All other pending applications, if any, are also disposed of accordingly.

10.02.2026
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(RUPINDERJIT CHAHAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No