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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.60812 of 2025
Date of Decision: 23.02.2026

Pardeep Singh @ Param ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Navkesh Singh Goraya, Advocate,
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
256	11.11.2022	Moti Nagar, District Police Commissionerate Ludhiana	379-B (2) and 34 of IPC

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Parmila on 11.11.2022 alleging therein that on the evening of the same day, she was standing at Cheema

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Road, Ludhiana for the purpose of hiring of an autorickshaw. Suddenly three youths riding on a motorbike reached there. One of them dragged her by showing her a knife, snatched her cell phone and after extending threats, tried to escape. The accused Ravi Gupta and Lakhan were, however, apprehended by the public persons along with the motorbike whereas the petitioner who was the driver of the bike had managed to flee. The co-accused suffered disclosure statements and got recovered mobile phone of the complainant as well as one dattar. They faced trial and were held guilty and convicted by learned trial Court. The petitioner could not be apprehended. Proceedings under Section 82 of Cr.P.C. were initiated against him and he was declared a proclaimed offender. He was arrested on 29.06.2025. Investigation now stands concluded and the petitioner is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was taken into custody in connection with a FIR bearing FIR No.276 registered at Police Station Moti Nagar and remained in custody till 24.01.2023. His absence was not intentional but was due to the reason as narrated above. Now he is in custody for a period of about 08 months. The trial will take considerable time to conclude as none out of 05 witnesses have been examined. No useful purpose would be served by detaining him in custody any more. It is, thus, argued that he deserves to be released on bail.

4. Status report has been filed. Learned Assistant Advocate General, Punjab while relying upon the status report has argued that the

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petitioner had avoided his arrest earlier. There are chances of his absconding again, if extended benefit of bail. He is a habitual offender. Therefore, it is stressed that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner along with the co-accused is alleged to have snatched the mobile phone of the complainant as on 11.11.2022. As per the prosecution case, he had managed to flee and was declared a proclaimed offender. Learned counsel for the petitioner has placed on record a copy of order dated 24.01.2023 passed in case bearing FIR No.276 dated 04.12.2022 showing that he was in custody since 04.12.2022 till 24.01.2023. As such, it cannot be presumed that his absence was intentional during the relevant period. He is in custody for a period of about 08 months. Of course, the trial will take considerable time to conclude since not even a single witness has been examined so far. No fruitful purpose would be served by the continued detention of the petitioner. It is well settled proposition of law that pre trial incarceration should not be replica of post conviction sentencing. Detention prior to trial should not become punitive. Taking into consideration the above discussed facts, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal bonds as well as surety bonds by two sureties in the like amount each to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned and on the following conditions:-

- (i) The petitioner shall appear before the SHO of concerned Police Station once on the first Monday of

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every alternative month during the trial of the case.

(ii) He shall not directly or indirectly make any inducement, threat 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.

(iii) He shall not leave the country under any circumstance without permission of the learned trial Court.

(iv) He shall appear before the trial Court on each and every date fixed, unless is exempted by specific order of the Court.

(v) He shall provide his permanent address as well as present address before the learned trial Court at the time of furnishing of bonds and shall not change the same without informing the trial Court.

(vi) He shall also give copy of his Aadhar Card, PAN Card if any and details of his mobile phone number(s) to the learned trial Court at the time of furnishing of bonds and in case, any change in his mobile phone number takes place, then he shall inform about the same to the learned trial Court in advance and shall keep his mobile phone switch on all times.

(vii) He shall deposit his passport, if any, with the learned trial Court.



7. In the eventuality of breach of any of the aforementioned conditions, the respondent-State shall be at liberty to move an application seeking cancellation of the bail.
8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

23.02.2026
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(MANISHA BATRA)
JUDGE

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