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

CRM-M-62685-2025

Date of decision : 09.02.2026

Dharma**.....Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Puneet Kumar Bansal, Advocate
for the petitioner.

Mr. K.D. Sachdeva, DAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Petitioner has approached this Court by way of filing the present petition praying for grant of regular bail to him in case FIR No.108 dated 28.07.2020, under Sections 399, 402, 411 of IPC, 1860 and Section 25 of the Arms Act, registered at Police Station Joga, District Mansa.

2. Succinctly facts of the case are that the police while on patrolling on 28.07.2020, received a secret information that Manjit Singh @ Mintu, Murari Lal @ Billu, Sanju, Dharma, Roshan Singh, Sardool Singh @ Sulla, Gurmeet Singh @ Ghogi were habitual offenders and all those seven persons were sitting at Jhidi Baba Jogi Peer in the area of Village Ralla and preparing for committing dacoity and if raid is conducted, they could be arrested along with the weapon. On receiving the secret information, the raiding party reached the disclosed place where seven persons were found. They were apprehended and disclosed their names as Manjit Singh @ Mintu, Murari Lal @ Billu, Sanju, Dharma, Roshan Singh, Sardool Singh @ Sulla, Gurmeet Singh @ Ghogi. One revolver along with three live cartridges were recovered from them and hence, they were



arrested on the spot. On completion of the investigation, challan was presented and on framing of the charges, trial commenced. Petitioner approached the Court of learned Additional Sessions Judge, Mansa praying for grant of regular bail. However, after hearing counsel for the parties, learned Additional Sessions Judge, Mansa allowed the same vide order dated 07.04.2021. However, petitioner jumped the bail on 05.07.2022 and thus, he was declared as Proclaimed Offender on 31.10.2023. Thereafter, he was re-arrested on 04.07.2025 and since then, he is behind bars. Petitioner thereafter, again approached the Court of learned Additional Sessions Judge, Mansa however, the same was declined after hearing counsel for the parties vide order dated 01.10.2025. Hence, being aggrieved, petitioner is before this Court by way of filing the present petition.

3. It has been contended by counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He submits that petitioner was initially arrested and granted bail on 07.04.2021. Subsequently, after being declared as Proclaimed Offender, he was re-arrested on 04.07.2025. He submits that petitioner is behind bars from last more than 1 ½ years however, there is progress in the trial. He has also contended that out of 07 accused, 06 accused are already on bail. He further submits that though petitioner was arrested in three more cases, however, he is on bail in those cases and thus, in the facts and circumstances of the case, he deserves to be granted regular bail.

4. Learned State counsel has opposed the submissions made by learned counsel for the petitioner. He submits that petitioner had misused the concession of bail granted to him by the learned Additional Sessions Judge, Mansa on 07.04.2021. He, on instructions, has submitted that out of 19 prosecution witnesses, only 01 witness has been examined. He submits

that out of 07 accused, 06 accused are on bail. He has placed on record the custody certificate which transpires that petitioner has undergone actual sentence of 01 year, 06 months and 04 days as on 07.02.2026. It further reflects that though petitioner was involved in other cases as well.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner was granted bail by the learned Additional Sessions Judge, Mansa, on 07.04.2021. However, after being declared a Proclaimed Offender, he was thereafter re-arrested on 04.07.2025. Custody certificate filed by the State shows that petitioner has undergone actual sentence of 01 year, 06 months and 04 days as on 07.02.2026.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

7. If the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in the present case.

09.02.2026
m.sharma

(**RAJESH BHARDWAJ**)
JUDGE

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