



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-64844-2025
Decided on : 06.03.2026

Sumit @ Shiva @ Samin . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Tarun Kumar Sharma, Advocate (through V.C.)
for the petitioner(s).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Sumit @ Shiva @ Samin	155	23.06.2016	382, 34 of IPC, 1860	Sadar Ferozepur	Ferozepur

2. FIR in the present case was registered against two unknown persons with the allegations that they had snatched an amount of ₹85,700/- and also fired a shot at the petrol pump. The name of the petitioner was not mentioned in the FIR. However, subsequently the petitioner – Sumit @ Shiva @ Samin and his co-accused Neeraj were arrested by the police of CIA in another case, i.e., FIR No.101 dated 25.08.2016, under Sections 399, 402 of IPC and Sections 25/54/59 of the Arms Act, registered at Police Station Cantt., Ferozepur, and during the investigation of the said case, they



admitted their involvement in the present case.

3. Considering the role attributed to the petitioner, he was initially released on bail by the learned trial Court vide order dated 05.10.2016 and thereafter the challan was submitted. However, despite submission of the challan, on account of the petitioner's involvement in some other cases, he could not appear before the trial Court in the present case on 30.03.2024 and again on 26.09.2024. Resultantly, after issuance of Non-Bailable Warrants (NBWs), the petitioner was declared a proclaimed offender vide order dated 18.04.2025.

4. Learned counsel for the petitioner contends that the petitioner was again arrested on 30.07.2025 and, in fact, he could not appear before the Court because the challan itself was not submitted by the prosecution agency within time. It is submitted that the challan was filed for the first time on 26.02.2024, i.e., after a period of about eight years.

It is further argued that the petitioner is in custody for the last more than seven months and has been implicated only on the basis of the alleged disclosure statement made while he was in custody in FIR No.101 (supra). Nothing remains to be recovered from him and further incarceration would not serve any meaningful purpose. Thus, learned counsel prays for grant of the concession of regular bail to the petitioner.

5. On the other hand, learned State counsel vehemently opposes the prayer for bail; however, he has failed to controvert any of the factual assertions made here-above in the foregoing paragraphs.

6. Heard.

7. On 21.11.2025, learned State counsel was asked to explain the

delay caused in the submission of the challan. In response thereto, by referring to paragraph No.7 of the status report, learned State counsel submits that the present case was investigated by as many as eight investigating officers and all of them have now been subjected to departmental inquiry by order of the Senior Superintendent of Police, Ferozepur.

The explanation given in paragraphs No.7 and 8 of the status report reads as under:-

“7. That so far as the delay in filing the challan/final report in the Ld. Trial Court is concerned, it is most respectfully submitted that the present case was investigated by different officials for the period as under:-

Sr. No.	Name of investigating officer	Period for which the file lying with him.
1	ASI Lakhwinder Singh No. 286/FZR	24.06.2016 to 21.11.2016
2	ASI Sharma Singh No. 910/FZR	22.11.2016 to 19.07.2017
3	ASI Ashwani Kumar No. 254/FZR	20.07.2017 to 19.07.2020
4	ASI Salwinder Singh No. 161/FZR	20.07.2020 to 30.09.2021
5	ASI Sukhpal Singh No. 107/FZR	01.10.2021 to 20.10.2021
6	ASI Tarsem Singh NO. 1604/FZR	21.10.2021 to 17.06.2022
7	SI Gurbaksh Singh No. 650/TT	18.06.2022 to 09.04.2023
8	ASI Paan Kumar No.1254/FZR	10.04.2023 to 26.02.2024

8. That all the above named officials failed to discharge their duty diligently and as such vide letter no.38537-42/B dated 20/12/2025, departmental enquiry has been initiated against them by Senior Superintendent of Police, Ferozepur.”

8. From the aforementioned explanation, it is evident that the last investigating officer with whom the investigation was pending was ASI Paan Kumar, who remained entrusted with the investigation of the present case



from 10.04.2023 to 26.02.2024. Therefore, it is not the petitioner alone who can be said to have defaulted in appearing before the trial Court, but it also appears that the concerned investigating officers, despite registration of the FIR on 23.06.2016, failed to complete the investigation till the year 2024.

9. Be that as it may, without making any further observation, it is noticeable that after being re-arrested the petitioner has again been in custody for more than a period of seven months, i.e., since 30.07.2025, and out of the total nine prosecution witnesses, only two have been examined so far. In such circumstances, this Court does not find any substantial reason to continue the detention of the petitioner in custody.

Therefore, in view of the totality of the circumstances and without expressing any opinion on the merits of the case, this Court deems it appropriate to extend the concession of regular bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**. Petitioners are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in



accordance with law.

12. Petition stands **disposed of**.

Pending misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

March 06, 2026
J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No