



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

**236**

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**CRM-M No.67755 of 2025 (O & M)**  
**Date of decision : 13.1.2026**  
**Date of uploading : 14.1.2026**

**Pardeep** .....**Petitioner**  
**Versus**  
**State of Haryana** .....**Respondent**

**CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Krishan Singh, Advocate and  
Mr. Deep Singh Saini, Advocate, for the petitioner  
  
Mr. Gurmeet Singh, AAG, Haryana  
  
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**SUMEET GOEL, J. (ORAL)**

1. Present second petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.11 dated 17.1.2025 under Sections 326(G), 3(5) of Bharatiya Nyaya Sanhita, 2023, registered at Police Station Pinjore, District Panchkula.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

*'Sir, the copy of the writing is as follows: To, Incharge Police Post Madhawala District Panchkula. Sir, I request that I, Manveer son of Shri Rameshvar Singh is resident of village Amarpur Kashi, Police Station Bilari, District Moradabad, Uttar Pradesh, present address H.No. 250, Sector 2, Shivalik Nagar, Jhadmajri, District Solan, Himachal Pradesh and I running a readymade garments and cosmetics shop in village*



*Shahpur, Police Station Pinjore. On the night of 3/4.1.2025, my shop caught fire and along with my shop, all the goods of other shopkeeper Lokendra Singh son of Shri Ramkumar's readymade garments shop and Dharmendra, son of Shri Poppy Ram's barber shop were burnt to ashes. On 4.1.2025, we had given an accidental application in the police station, on which the police registered a report and gave us a copy of the report. After that, we checked the CCTV in Naresh's grocery store and discovered that two boys had set my shop on fire and were seen running away with bottles in their hands. We retrieved the footage and showed it to the neighborhood. Roshan, who owns a slum in Shahpur, identified them and said they were Pradeep and Gyani, whose slum is also near Roshan's slum. Pradeep's brother's clothing shop is also adjacent to ours. Pradeep and Gyani, out of resentment about their own shop's poor business, deliberately set fire to my shop. Along with my shop, Lokendra and Dharmendra's shops were also burned to the ground. The fire caused by these men has caused significant damage to me and my neighboring shopkeepers. Please take legal action against Pradeep and Gyani. Applicant S.D. Manveer son of Shri Rameshvar Singh House No. 250 Sector 2 Shivalik Nagar Jhadmajri District Solan Date-17.1.2025 Mobile No. 7466870972.'*

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 1.2.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that, initially, a DDR was got lodged by the complainant-side pleading therein that the fire in question was taken place on account of short-circuit but later on on the basis of CCTV footage case was registered against the petitioner. Learned counsel has further submitted that the petitioner is a young man aged 21 years with no criminal antecedents. Learned counsel has further submitted that previous bail petition was withdrawn on 12.1.2025 but a perusal of the *zimni* orders passed by the trial Court on 14.8.2025, 1.9.2025, 30.9.2025, 23.10.2025,



28.11.2025 and 17.12.2025 reflect that the prosecution has not been able to lead evidence and the trial is procrastinating. Learned counsel has further submitted that the incarceration of the petitioner is not on account of any folly on the part of the petitioner. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel has further submitted that there is tangible, clear evidence available against the petitioner, hence he ought not to be extended the concession of regular bail. Learned State counsel seeks to place on record custody certificate dated 12.1.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 1.2.2025 wherein after investigation was carried out and challan stands presented on 30.4.2025. Total 18 prosecution witnesses have been cited but none has been examined. It is thus indubitable that culmination of trial will take its own time. The rival contentions raised by learned counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.



6.1 As per custody certificate dated 12.1.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 11 months and 9 days & is not shown to be involved in any other case.

6.2 Indubitably, the present petition is the 2nd attempt by the petitioner to secure regular bail. The last bail plea preferred by the petitioner was dismissed as withdrawn on 12.8.2025. However, a perusal of the zimni orders dated 14.8.2025, 1.9.2025, 30.9.2025, 23.10.2025, 28.11.2025 and 17.12.2025 passed by the trial Court reflect that the trial is procrastinating and the petitioner is not saddled with folly thereof. Keeping in view this fact as also extended incarceration of the petitioner, this Court is inclined to favourably consider the instant plea for bail. A profitable reference, in this regard, can be made to a judgment of this Court passed in ***CRA-S-2332-2023*** titled as ***Rafiq Khan versus State of Haryana and another***; relevant whereof reads as under:

*“10. As an epilogue to the above discussion, the following principles emerge:*

*I. Second/successive regular bail petition(s) filed is maintainable in law & hence such petition ought not to be rejected solely on the ground of maintainability thereof.*

*II. Such second/successive regular bail petition(s) is maintainable whether earlier petition was dismissed as withdrawn/dismissed as not pressed/dismissed for non-prosecution or earlier petition was dismissed on merits.*

*III. For the second/successive regular bail petition(s) to succeed, the petitioner/applicant shall be essentially/pertinently required to show substantial change in circumstances and showing of a mere superficial or ostensible change would not suffice. The metaphoric expression of seeking second/successive bail plea(s) ought not be abstracted into literal iterations of petition(s) without substantial, effective and consequential change in circumstances.*

*IV. No exhaustive guidelines can possibly be laid down as to what would constitute substantial change in circumstances as every case has its own unique facts/circumstance. Making such*



*an attempt is nothing but an utopian endeavour. Ergo, this issue is best left to the judicial wisdom and discretion of the Court dealing with such second/successive regular bail petition(s).*

*V. In case a Court chooses to grant second/successive regular bail petition(s), cogent and lucid reasons are pertinently required to be recorded for granting such plea despite such a plea being second/successive petition(s). In other words, the cause for a Court having successfully countenanced/entertained such second/successive petition(s) ought to be readily and clearly decipherable from the said order passed.”*

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the

State/complainant shall be at liberty to move cancellation of bail of the



petitioner.

- 9. Ordered accordingly.
- 10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.
- 11. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(SUMEET GOEL)  
JUDGE

13.1.2026  
*Ashwanii*

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