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

**CRM-M No.69791 of 2025
Date of Decision: 15.01.2026**

Pankaj Kumar @ Panku

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. S. K. Choudhary, Advocate
for the petitioner.

Mr. Raj Karan Singh, Asstt. A.G., Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.26, dated 22.02.2025, under Sections 305 BNS (Sections 317(2), 111(2) of BNS added later on), registered at Police Station Sujampur, District Pathankot. Further prayer has been made for releasing the petitioner on interim bail till the report of chemical examiner is received.

2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Sarabjit Singh, son of Narinder Singh. It was alleged that the complainant was working in a private company at Hatli Morh, Jammu and Kashmir. On 21.02.2025, at about 06:30 P.M., after returning from his job, the complainant parked his motorcycle



make Splendor bearing registration No.PB-35-AF-1622 in the courtyard of his house and after having dinner, all the family members went to sleep. It was further alleged that on 22.02.2025, in the morning, at about 06:00 A.M., the complainant found that his motorcycle was missing. It was alleged that it came to the notice of the complainant that Mohammad Salim @ Mohammad Saleem was roaming in the street on the intervening night of 21/22.02.2025 and he had stolen the motorcycle. Thus, the request was made to take legal action against the accused. On filing of the complaint, the FIR was registered. On registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner surfaced and thus, he was arrayed as an accused in the present case. Resultantly, the petitioner was arrested on 01.03.2025. The petitioner approached the Court of learned Sessions Judge, Pathankot praying for the grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Sessions Judge, Pathankot declined the bail application filed by the petitioner vide order dated 19.11.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail to the petitioner on the basis of parity with that of the co-accused, namely, Mohammad Salim @ Mohammad Saleem. He has drawn the attention of this Court to the order dated 03.07.2025 passed in **CRM-M-21848-2025**, whereby, co-accused, namely, Mohammad Salim @ Mohammad Saleem has been granted regular bail by this Court. He has submitted that the case of the petitioner is on better footing with that of the co-accused, who has already been granted bail as the petitioner was implicated in the present case on the basis of disclosure statement of co-accused. He submits that the petitioner is in



custody since 01.03.2025. He submits that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar to that of the said co-accused, who has already been granted bail.

4. Learned State counsel has endorsed the factum of grant of bail to the co-accused of the petitioner as stated above and has not denied that the petitioner is at par with the co-accused, namely, Mohammad Salim @ Mohammad Saleem. He has submitted that the petitioner is involved in 06 other cases. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 01.03.2025. Co-accused, namely, Mohammad Salim @ Mohammad Saleem is on bail and the case of the petitioner as stated is at par with him. Custody certificate produced would show that the petitioner has suffered an incarceration of 10 months & 13 days as on 14.01.2026. It further reflects that the petitioner is involved in 06 other cases, however in 02 cases, he is on bail, in 02 cases, the fine has been paid and has been released and in 01 case, he has been discharged.

7. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner on the basis of parity.

8. 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. However, if the



petitioner does not furnish the bail bonds within 07 days from today, then his further custody period after one week will not be counted in this case.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

15.01.2026
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(RAJESH BHARDWAJ)
JUDGE

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