

**CRM-M-73565-2025(O&M)****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****137****CRM-M-73565-2025(O&M)****Date of Decision: 11.03.2026****KAMAL RAJPUT @ KAMAL****... PETITIONER****VERSUS****STATE OF PUNJAB****... RESPONDENT****CORAM : HON'BLE MR. JUSTICE H.S.GREWAL****Present:- Mr. Harish Bhatti, Advocate for the petitioner.****H.S. Grewal, J.(Oral)**

1. This petition has been filed under Section 483 of the BNSS, 2023 for grant of regular bail to the petitioner in FIR No. 155 dated 08.07.2025 under Sections 309(6) and 3(5) of BNS(later on deleted) and Sections 317(2), 311 and 310 (2) of BNS added later on registered at Police Station, Division No.6, District Ludhiana.
2. The case of the prosecution is that the petitioner, along with his co-accused, inflicted injuries upon the complainant and his brother-in-law on the pretext of helping them, by using a sword, a bicycle and its handle and snatched their motorcycle, mobile phones, wallets, Aadhaar card and an amount of ₹15,000/-.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has no connection with the alleged incident, as the FIR was lodged against unknown persons. He further submits that the petitioner was not identified at the spot and was identified later in the supplementary statement. He further submits that the petitioner is in custody since 22.07.2025 and prays for grant of regular bail.
4. Notice of motion.
5. Mr. Parneet Singh Pandher, learned Assistant A.G., Punjab, accepts notice on behalf of the respondent–State. He has vehemently opposed the prayer made by learned counsel for the petitioner for the grant of regular bail. He has filed the custody certificate in Court today and the same is taken on record. As per the

custody certificate, the petitioner is in custody for the last 07 months and 12 days and is not involved in any other case.

6. I have heard the submissions made by the parties and gone through the record.

7. Keeping in view the facts and circumstances of the case and considering the fact that the main allegations are against the co-accused and the petitioner is not involved in any other case; the petitioner is in custody for the last 07 months and 12 days; and the trial is likely to take considerable time to conclude, this Court is of the view that further detention of the petitioner would not serve any useful purpose. Moreover, it is a settled principle of law that “*bail is the rule and jail is the exception.*”

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

10. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulged in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.

11. Pending applications, if any, shall also stand disposed of.

11.03.2026

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Whether speaking/reasoned

Whether reportable:

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Yes/No

Yes/No

(H.S.GREWAL)

JUDGE