

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

2026:PHHC:046294



(145)

CRM-M-73595-2025

Date of Decision: 24.03.2026

Umesh

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR. JUSTICE H.S. GREWAL.

Present:- Ms. Rosi, Advocate for the petitioner.

Mr. Rakesh Jangra, AAG, Haryana.

H.S. GREWAL.J (Oral)

This petition has been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail for the petitioner in case FIR No.0128 dated 03.06.2025 under Sections 309(6), 309(4) of BNS, 2023 and Section 25 of Arms Act (later added Sections 310(2), 311 of BNS, 2023 and deleted Sections 309(6), 309(4) of BNS, 2023) registered at Police Station Sadar Tauru, District Nuh.

2. The case of the prosecution is that the complainant was working in a firm named B.H.D Solutions and his job was to take cash from the bank and to load it in the A.T.M machines. On 02.06.2025, after loading cash in different ATMs, the complainant reached Hamuman Nagar ATM, Khorikalan area at around 11:15 AM to load cash. He kept his cash bag in the ATM cabin. At the same time, two persons with muffled faces entered the ATM, pointed a country made pistol at him and snatched the bag containing an amount of Rs.15,08,900/-. After committing the robbery, the accused persons fled from the spot on a motorcycle. The entire incident was

captured on the CCTV camera installed in the ATM. Moreover, an amount of Rs.1,94,500/- is alleged to have been recovered from the petitioner. It is stated that the complainant had identified the petitioner since he belongs to a nearby village, however, he has not explained as to why at the first instance he did not name the petitioner, if, he was known to him earlier.

3. Learned Counsel for the petitioner contends that the allegations against the petitioner are false and concocted. He submits that initially the FIR was registered against some unknown persons. It is further submitted that neither any specific role has been attributed to the petitioner nor any test identification parade was conducted. He also submits that the complainant, who used to load cash in different ATMs should have been accompanied by another employee or a security guard but instead he went alone in his private vehicle to load the cash. It is also submitted that the petitioner, who is a young boy of 19 years, is in custody for the last 09 months and 16 days. It is further submitted that similarly placed co-accused Parvesh @ Sunda has already been granted the benefit of bail by this Court vide order dated 26.02.2026 passed in CRM-M-70006-2025. He thus prays that the petitioner be granted the concession of regular bail.

4. Learned State Counsel vehemently opposes the petition for grant of bail on the ground that the allegations and role attributed to the petitioner in the commission of the alleged offence are very serious in nature and the petitioner has actively participated in the alleged offence. He has filed the custody certificate in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for the last 09 months and 16 days. He further submits that petitioner is involved in one more case registered under Sections 392 read with Section 34 IPC, however, he is on

bail in that case.

5. I have heard learned counsel for the parties and perused the record.

6. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioner is in custody since 08.06.2025 coupled with the fact that similarly placed co-accused Parvesh @ Sunda has already been granted the benefit of bail by this Court vide order dated 26.02.2026. The trial of the case is likely take a long time to conclude as none of the witnesses has been examined so far, this Court is of the opinion that the petition in hand deserves to be allowed. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioner would not serve the ends of justice, therefore, he is entitled to regular bail during the pendency of the trial.

7. 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.

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

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

24.03.2026
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(H.S. GREWAL)
JUDGE

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