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

CRM-M-20740-2026

Date of decision: 24.04.2026

BITTU

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE **SUBHAS MEHLA**

Present: Mr. Gaurav Kalsi, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

SUBHAS MEHLA, J (Oral):

The present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking grant of regular bail in case bearing FIR No.176 dated 14.11.2025 under Sections 309(6), 3(5) of BNS, 2023, and Section 238 of BNS added later on (under Sections 394, 34 and 201 of IPC) registered at Police Station Bhogpur, District Jalandhar Rural.

2. Brief facts of the case are that the FIR was registered on the statement of Mohammad Sohraab that he is a scrap dealer and collects/sells scrap by roaming on his cycle. On 13.11.2025 at around 12.00 PM, he was taking scrap on his cycle from village Dalli to village Bin Palke. When he reached a little ahead of Dalli stadium, two young persons came from behind on a motorcycle which did not bear any registration number. The said young persons stopped him. Pillion rider was armed with some



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pointed weapon and he gave a blow with the same on complainant's head and took out Rs.2000/- from the pockets of the pants worn by him. Then both the culprits fled towards village Bin Palke on their motorcycle. The blood started oozing out from his head. Some passerby got him admitted to Civil Hospital, Kala Bakra for treatment. He made efforts to trace the culprits and he came to know that he was attacked by Bittu and Fariyad.

3. Learned counsel for the petitioner contended that the petitioner has been falsely involved in this case; the complainant has not supported the case of the prosecution; the present petitioner has been in custody for the last more than 05 months; therefore, no fruitful purpose would be served by keeping the petitioner behind the bars as he is not required for recovery purposes; trial will take sufficient time to conclude and as such, prayed for concession of regular bail.

4. Notice of motion.

5. Mr. Sandeep Kumar, DAG Punjab, who is present in Court, accepted notice on behalf of respondent-State, and by way of filing of custody certificate dated 23.04.2026, opposed the concession of regular bail to the petitioner and on instructions from ASI Sarabjit Singh, submitted that complainant has been examined in this case; the petitioner, who was armed with some pointed weapon, gave a blow with the same on head of complainant and took out Rs.2000/- from his pocket; the petitioner is involved in 01 another case as well; the petitioner has been in custody for a period of 05 months and 06 days and as such, prayed for dismissal of the present petition.

6. Heard.



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7. Taking into consideration the facts & circumstances of the present case and the contentions raised by learned counsel for the parties and the fact that the complainant has already been examined; the present petitioner is in custody for last more than 05 months; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability is to be decided by trial Court after appreciating evidence adduced by the parties, and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

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 bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. Nothing observed herein shall be construed as an opinion on the merits of the main case.

(SUBHAS MEHLA)
JUDGE

24.04.2026
monika

1. Whether speaking/ reasoned	:	Yes /No
2. Whether reportable	:	Yes /No