

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

Criminal Misc. No.M-22337 of 2022(O&M)

Date of Decision: October 27, 2022

Amarjyoti Kumar @ Mani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr.Chandan Singh Rana, Advocate assisted by
Mr.Vinod Kumar, Advocate for the petitioner.

Mr.V.G.Jauhar, Additional AG, Punjab.

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HARINDER SINGH SIDHU, J.

The petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.58 dated 15.03.2022 under Sections 379-B/34/411 IPC, Police Station Focal Point, Ludhiana.

The FIR was lodged on the statement of one Sunny Kumar, who alleged that on 14.03.2022 at about 10.30 PM he was going on his bicycle. When he reached near *Phatak* petrol Pump, Chandigarh Road, Phase 8 Focal Point, Ludhiana, three youths came there on a motorcycle and asked him to hand over to them whatever he was possessing. When the complainant resisted they threatened him with an iron *dah*. Later on, the complainant came to know the names of the said persons as Ravi Kumar, who had threatened him with *dah*, Amarjit Singh (petitioner) who had snatched his mobile phone and third one was Himanshu.

Ld. counsel for the petitioner has argued that the petitioner has been falsely implicated in the case. No Test Identification Parade was ever conducted by the Investigating Agency. The challan has already been presented. The petitioner has been behind bars since 16.03.2022 i.e. for the last more than seven months. No witness has been examined as yet. The complainant has not appeared before the Court despite being summoned.

Having considered the facts and circumstances of the case as also the custody period of the petitioner, without expressing any opinion on the merits of the case, this petition is allowed. The petitioner is directed to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

October 27, 2022

(HARINDER SINGH SIDHU)
JUDGE

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Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No