

CRM-M-52580 of 2022

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

CRM-M-52580 of 2022
Date of decision: 09.12.2022

Ritik @ Golu

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Amit Sharma, Advocate, for the petitioner.
Mr. Ravinder Singh, AAG, Punjab.
Mr. J.S. Gill, Advocate,
for Mr. Amritpal Singh, Advocate, for the complainant.

NAMIT KUMAR, J. (ORAL)

In compliance of order dated 18.11.2022 learned State counsel has filed status report dated 09.12.2022 by way of affidavit of Sandeep Wadehra, Assistant Commissioner of Police, Industrial Area-B, Ludhiana, on behalf of the respondent-State, which is taken on record.

This petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case FIR No.0097 dated 20.09.2022 under Section 379-B {lateron converted into Section 379(2)}, Section 34 IPC and Section 41 IPC (added lateron) registered at Police Station Daba, District Ludhiana.

The case of the prosecution is that FIR in question has been registered on the basis of statement of Karan Mourya to the effect that he is working as Distributor in Vodafone Idea company and his office is at 33 feet road near Pippal Chowk Giaspura. On 20.09.2022 he had gone to Fieldganj Market and at about 2.30 PM. He received phone call from the

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petitioner who told that on said day he was going to SBI Giaspura after collection on his motor-cycle Splendor plus and at about 2.20 PM when he reached street no.1, near HR International Factory Mohalla Surjit Nagar, one motor-cycle splendor came from behind and one person out of them shown Gandasi to him and pillion rider took the collection bag from front of the motor-cycle containing Rs.70,000/- and his techno mobile and fled away.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He has been nominated on the basis of disclosure statement of co-accused, namely, Angad Kumar, which has no evidentiary value. Learned counsel submits that the matter has been compromised between the parties. He further submits that case is at the stage of investigation. Petitioner is in custody since 21.09.2022. Petitioner is not involved in any other case. Conclusion of trial is likely to take a considerable time. No useful purpose would be served by detaining the petitioner behind bars. Therefore, he may be granted concession of regular bail.

Learned counsel for the complainant also admits the factum of compromise.

Per contra learned State counsel opposes the prayer of the petitioner for grant of regular bail. However, he does not dispute the fact that petitioner is not involved in any other case and the matter has been compromised.

Considering overall facts and circumstances of the case; keeping in view the custody period of the petitioner; compromise effected

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between the parties and the fact that case is at the stage of investigation and trial is likely to take a considerable time and no fruitful purpose would be served by detaining the petitioner behind bars during trial, however, without commenting upon the merits of the case, the petitioner is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

The petition stands disposed off accordingly.

09.12.2022

R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No