

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

Date of decision: 28.08.2023

1. CRM-M-17748-2023

SONU @ SONU GUPTA

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

2. CRM-M-20045-2023

LOVEPREET KAUR @ PREETI

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. B.R Rana, Advocate
for the petitioner in CRM-M-17748-2023.

Mr. Mohit Vashishat, Advocate
for the petitioner in CRM-M-20045-2023.

Mr. M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.SHEKHAWAT. J.(Oral)

1. This common order shall dispose of two bail petitions arising out of the same FIR i.e. FIR No.119 dated 06.12.2022 registered under Sections 379-B(2), 411, 506, 34, 148, 149 IPC and Section 25 of Arms Act at Police Station Daba, Ludhiana, District Ludhiana.

2. As per the case of the prosecution, the FIR was registered on the basis of statement made by Sandeep son of Rajesh Kumar. As per the allegations,

the complainant owns a vehicle bearing registration No.HR-38-Y-5596, make swift car, which was used by him as a tourist cab in Uber company at Chandigarh. On 05.12.2022, at about 9:30 PM, he took a passenger namely Preeti aged about 19-20 years from Dakoli and started for Ludhiana. At about 12.30 AM on 06.12.2022, he reached Ludhiana by taking a passenger and near village Lohara, the passenger Preeti got the car stopped by telling him that she had called her brother to bring the payment of the driver and her brother would come in few minutes. After some time, two motorcycles came near his car and stopped there and the above-said persons were duly armed with weapons such as kripan, gandasi and pistols. On reaching there, they snatched the keys of his car and also snatched his car and wallet containing 8500 rupees cash, Aadhar card, Pan card, ATM and other documents as well as his mobile phone, make VIVO Y-75. After snatching the above, the said persons along with their respective weapons and the girl Preeti went towards village Lahora on their vehicles. With these broad allegations, the FIR in the present case was registered.

3. Learned counsel for the petitioners submit that the petitioners were not named in the present FIR and no physical description was mentioned by the complainant in the FIR. Even no injury has been attributed to any of the petitioners. As per learned counsel, Lovepreet Kaur @ Preeti was arrested in the present case on 06.12.2022, whereas, Sonu @ Sonu Gupta was arrested in the present case on 14.12.2022 and are in custody for the last more than 08 months. Learned counsel further contends that in the present case, challan has already been presented and charges are yet to be framed. Thus, further custody of the petitioners will serve no meaningful purpose.

4. On the other hand, learned State counsel has opposed the prayer

made by learned counsel for the petitioners on the ground that serious and specific allegations have been levelled against both the petitioners and they do not deserve the concession of bail. However, he admits that the petitioners are the first offenders and are not involved in any other criminal activity in the past.

5. I have heard the learned counsel for the parties and perused the record.
6. It is apparent from the submissions that the petitioners are in custody for the last more than 08 months and the case is listed before the trial Court for framing of charges and the trial Court may take quite a long time in concluding the trial.
7. Without commenting on the merits of the case, the present petitions are allowed and the petitioners are ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.
8. A photocopy of this order be placed on the file of the connected case.

(N.S.SHEKHAWAT)
JUDGE

28.08.2023
Amandeep

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No