

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

CRM-M-36054-2022
Date of Decision:-**10.02.2023**

RISHU

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Varun Goyal, Advocate
for the petitioner.

Mr. Chaman Lal Pawar, Addl. A.G. Punjab.

-.-

KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.74 dated 1.6.2022 registered under Sections 379-B/34 IPC (Sections 25/27 of Arms Act added later on) at Police Station Ladhuwal, District Commissioner Ludhiana.

As per the allegations appearing on record, complainant-Sahil was working as Conductor on PRTC bus and on 1.6.2022, he was on duty in a bus going from Patiala to Amritsar and at about 8:00 am when they reached just ahead of toll plaza Ladhuwal, the said bus was intercepted by three persons who were travelling on Splender motorcycle and Activa

scooter and they started abusing conductor and driver of the said bus and then two of the said persons entered into the bus and started scuffling with the conductor and snatched his gold chain and they also snatched cash, which was there in possession of the complainant.

The counsel for the petitioner *inter alia* submits that the petitioner is not named in the FIR and is in custody since last 7 months and after investigation, police has presented challan. The counsel further submits that co-accused Vishal has already been granted concession of bail by this Court vide order dated 6.7.2022 (Annexure P-3).

The instant petition is resisted by the State counsel, who submits that during investigation it was found that the petitioner was also involved in the aforesaid incident of snatching and consequently he was arrested and one country made pistol was recovered from his possession. However, the State counsel has not disputed the fact that the petitioner is in custody since last 7 months and that now trial has commenced, but till date no prosecution witness has been examined.

I have considered the submissions made by counsel for the parties.

Admittedly, the petitioner was not named in the FIR and is in custody since last more than 7 months but prosecution is to examine in total 22 prosecution witnesses and trial will take considerable time its termination, further similarly situated co-accused Vishal has been granted concession of anticipatory bail by this Court vide Annexure P-3.

In view of the above, as it will take time for the trial to conclude, so no purpose is going to be served by prolonging the judicial custody of the petitioner for any longer period.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

10.02.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No