

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34330 of 2023

Date of decision : September 04, 2023

Hardeep Singh @ Bholu

..... Petitioner

Versus

State of Punjab

..... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK GUPTA

Present :-Mr. Prateek Sodhi, Advocate
for the petitioner.

Mr. R. S. Khaira, DAG., Punjab.

DEEPAK GUPTA, J. (ORAL)

By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case FIR No.329 dated 27.12.2022 registered under Sections 379-B(2), 34, 201 (added later on) IPC at Police Station Cantonment, District Police Commissionerate, Amritsar.

Status report by way of an affidavit of Manmohan Singh Aulakh, PPS., Assistant Commissioner of Police (West) Amritsar City has been filed on behalf of respondent-State. The same is taken on record.

It is contended by learned counsel for the petitioner that alleged occurrence took place on 25.12.2022 when three persons armed with datar, iron toka etc., allegedly snatched away Rs.7,800/- from complainant Shamu after giving beatings to his cousin Paras. Learned counsel further contends that though as per the FIR, complainant on checking the CCTV

footage allegedly came to know about the name of snatchers to be Dhamma, Bholu and Deepa (present petitioner) but still FIR was lodged on 27.12.2022, i.e. after two days of the occurrence. Learned counsel further contends that no recovery has been effected from the petitioner; that there is no MLR showing any injury to the complainant or his cousin. It is further contended by the learned counsel that though the petitioner is involved in one more case in FIR No. 160 of 2017 registered at Police Station Gate Hakima, Amritsar under Section 21,22,29,61 and 85 of NDPS Act but he was allowed anticipatory bail in that case vide order dated 16.05.2017 by Additional Sessions Judge, Amritsar (Annexure P-2).

Learned counsel for the petitioner further contends that similarly placed co-accused has already been allowed bail by this Court in **CRM-M-40213-2023** vide order dated 23.08.2023 titled as **Deepak Kumar @ Deepa Vs. The State of Punjab**.

Learned State counsel does not dispute the fact that case of the petitioner is on the same footing as that of Deepak Kumar @ Deepa Vs. The State of Punjab who was allowed bail by this Court in **CRM-M-40213-2023**.

Notice of motion.

Mr. R. S. Khaira, DAG., Punjab accepts notice on behalf of the respondent-State.

Learned State counsel has placed on record custody certificate revealing that the petitioner is in custody for the last 08 months and 06 days. He has no other criminal case pending against him.

Having regard to the afore-said facts and circumstances, and that further investigation and the trial may take time to conclude and on basis of parity but without commenting anything on the merits of the case, petitioner is

admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Chief Judicial Magistrate/ Duty Magistrate concerned.

Disposed of.

**(DEEPAK GUPTA)
JUDGE**

**September 04, 2023
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Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No