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

**CRM-M-46325-2022 (O&M)
Date of Decision: 21.02.2023**

Ramandeep

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Mandeep S. Sachdeva, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. AG, Punjab.

HARSH BUNGER J. (ORAL)

CRM-38042-2022

This is an application seeking exemption from filing certified copies of Annexure P-1 and Annexure P-2.

For the reasons mentioned in this application, the same is allowed, subject to all just exceptions.

CRM-M-46325-2022

Present petition is filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.114 dated 11.07.2022 under Sections 379-B, 148, 149 of Indian Penal Code (offence under Section 323 of Indian Penal Code added later on), registered at Police Station Adampur, District Jalandhar.

Superintendent of Police, Sub Division Adampur, District Jalandhar (Rural), on behalf of respondent/State of Punjab is filed by the learned State counsel in Court today and the same is taken on record, subject to all just exceptions.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present FIR on the basis of statement of one Inderjit Singh (complainant) S/o Sarwan Singh, wherein he alleged that on 11.07.2022 at about 07:30 P.M., he along with his friend (Shammi) were returning from their factory on the motorcycle, which was being driven by said Shammi (friend of complainant) and when they reached near Radha Swami Satsang Bhawan, Adampur-Bhogpur road, six persons came on two motorcycles from their behind, encircled them and started giving them Dattar blows, as a result of which complainant got injury on his left leg and thigh. It is further alleged that the remaining accused snatched a mobile phone (Samsung Galaxy S9), headphones and silver chain from Shammi (friend of complainant) and ran away by extending threats. It is further stated by the complainant that some boys of their village witnessed the alleged occurrence and informed about the incident to other persons of village, whereupon one of the accused persons namely Ramandeep (petitioner) was apprehended, whereas the names of the co-accused persons, who ran away, were revealed as Jatin S/o Harbans Lal, Roba and Labi, residents of Bullowal and two other unidentified persons.

Learned counsel for the petitioner submits that the petitioner has been in custody since 11.07.2022. He further submits that no recovery has been effected from the petitioner. It is further submitted that the challan has been presented against petitioner on 07.09.2022, the case is committed to the Court of Session on 01.10.2022. Learned counsel submits that the petitioner is not involved in any other case and trial is likely to take long

time. Learned counsel further submits that the petitioner herein is ready to abide by all the conditions as may be imposed by this Court or by the trial Court, accordingly prayer for grant of regular bail is made.

Learned State counsel opposes the plea of petitioner for grant of regular bail on the ground of seriousness of the offence, however, it is not disputed that no recovery has been effected from the petitioner.

I have heard learned counsel for the parties and perused the paper book as well as the status report filed by learned State counsel, in Court today.

In this case, the challan has been presented against the petitioner on 07.09.2022 and the case was committed to the Court of Session for trial on 01.10.2022. The petitioner has been in custody for the last more than 7 months. The trial is likely to take long time and no useful purpose would be served by keeping the petitioner behind the bars.

Keeping in view the aforementioned circumstances, the instant petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate concerned. However, the concerned Station House Officer shall be informed about the release of petitioner and the petitioner shall inform the concerned Station House Officer about his address at which he intends to reside during the pendency of case and any change in the address shall also be communicated to the concerned Station House Officer, forthwith. The petitioner would also furnish his telephone number to the concerned Station House Officer. He would also furnish his undertaking to the effect that he will not indulge in any illegal activity.

Nothing expressed hereinabove shall be construed to be an observation on merits of the case and the facts and circumstances recorded

above are only for consideration of the prayer for bail at this stage.

The petition is accordingly disposed of.

21.02.2023
Himani

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No