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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No. 59850 of 2023
Decided on :- 04.12.2023

SACHIN KUMAR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Vishal Thakur, Advocate for
for the petitioner.

Mr. Aditiya Kapoor, AAG, Punjab.

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SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under
Section 439 of the Code of Criminal Procedure for grant of regular bail to
the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
49	15.04.2023	379-B(2), 34 IPC	Division No.1, Ludhiana, District Ludhiana

2. It is *inter alia* contended by learned counsel for the petitioner
that the petitioner is innocent and has been falsely implicated in this case. He
submits that the petitioner is in custody since 15.04.2023. He contends that
upon being arrested, police has planted recovery of *iron datar* from him
which infact was never used by petitioner, as per FIR. He submits that the

petitioner is not involved in any other criminal case and as such prays for grant of concession of bail.

3. Learned State counsel on the other hand has opposed the bail application by arguing that the petitioner along with co-accused had forcibly snatched the cash amount of ₹1000/- and other documents contained in the bag of the complainant and upon apprehension of co-accused one bag and ₹400/- in cash as well as one purse containing Aadhar Card and *iron datar* have been recovered from the co-accused who has since been granted concession of bail being Juvenile and from the petitioner *iron datar* has been recovered. He however admitted that no injury has been attributed or caused in this case.

4. After considering the submissions, it transpires that the present case was got registered by the complainant on the allegations that on 14.04.2023 while he reached Railway Station Ludhiana and boarded auto rikshaw for going to bus stand then on the way auto driver stopped the vehicle and one person showing *iron datar* to the complainant forcibly snatched the purse and some documents, thereafter they threw the complainant out of the auto rickshaw and fled away. The petitioner as well as co-accused have since been arrested in this case and after conclusion of investigation challan has been presented in the Court. The recovery effected from the petitioner is of *iron datar* which admittedly was not used for causing any injury, the conclusion of trial will take sufficient long time and no purpose would be served by detaining the petitioner any longer in custody as he is in custody since 15.04.2023, and there is no other case

registered against the petitioner.

5. Consequently, without commenting on the merits of the case, it is observed that no purpose would be served in keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

04.12.2023
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |