

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-2443-2024 (O&M)
Date of Decision:-23.1.2024

Ujjwal Hans ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vaibhav Narang, Advocate for the petitioner.

Mr. Sanish Girdhar, AAG, Punjab,
assisted by ASI Gurcharan.

FIR No.	Dated	Police Station	Section/s
236	7.8.2023	Sadar Amritsar, District Police Commissionerate Amritsar	379-B(2), 148 and 149 of Indian Penal Code

GURVINDER SINGH GILL, J. (Oral)

- The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of the aforementioned FIR.
- The allegations, in nutshell, are that 7 young persons, who were travelling on motorcycles and an Activa Scooter had snatched the motorcycle of the complainant as well as 2 mobile phones.
- Learned counsel for the petitioner submitted that the petitioner is nowhere named in the FIR and came to be nominated as an accused pursuant to

disclosure statement allegedly made by Kunal @ Lutas. It has been submitted that it is from Kunal @ Lutas that the allegedly snatched motorcycle was recovered.

- 4. Opposing the petition, learned State counsel has submitted that since the stolen mobile phone was recovered from the petitioner, his complicity is clearly evident. It has further been informed that the petitioner also stands involved in 4 other cases. Learned State counsel has also informed that although 16 PWs have been cited, but none has been examined till date.
- 5. This Court has considered rival submissions addressed before this Court.
- 6. It is not in dispute that the petitioner came to be nominated as an accused pursuant to a disclosure statement made by co-accused. The admissibility and veracity of such statement would be debatable. Conclusion of trial is likely to consume time inasmuch not even a single PW out of the cited 16 PWs has been examined till date. In these circumstances, further detention of the petitioner will not serve any useful purpose. The instant petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

23.1.2024

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No