

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

**CRM-M-4204-2024**

**Date of Decision:-06.02.2024**

**Deepanshu @ Laddu.**

.....Petitioner.

Vs.

**State of Punjab.**

.....Respondent.

**CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present:- Mr. Gaurav Jain, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

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**JASJIT SINGH BEDI, J.(ORAL)**

The Prayer in this petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.66 dated 03.04.2023 under Sections 379-B, 324, 323, 34, 411 IPC registered at Police Station Kotwali, Patiala.

2. The present FIR came to be registered at the instance of Sonu Kumar son of Ram Parkash which reads as under:-

“ Stated that I am resident of the above mentioned address and am doing M.Sc. Final in Modi College, Patiala. Yesterday, at around 6.30 pm., I was standing near Lamba Bakery, when three youth riding on a motorcycle Mark Splendor color black had come from Modi College Chowk side and by directing the motorcycle towards me, all at one they had taken a cut, to whom I had said that what is the matter? On which they had stopped the motorcycle and had said to me that you don't know that we are from Majri and they had started abusing me and one out of them had snatched my phone which I was holding in my hand. When I had demanded back my phone then they had started slapping me. In the meantime my friend Kamaldeep Singh along with his friends had also reached there. In

*the meantime one out of those three boys had attacked with his hand held knife (chhura) on my left thigh and had attacked with brick on my face. I had shouted 'maarta...maarta'. On which all the aforesaid accused boys along with their weapons had sped away from the scene of crime on motorcycle. Then my friend Kamaldeep Singh had got me admitted in Rajindra Hospital, Patiala, for treatment. It has come to knowledge that the names of the boys who had beaten me are Maña, Gulu and Laddu residents of Dhiru Majri, Patiala, against whom appropriate action may be taken. I have got written my statement to you, heard and found to be correct. Sd/- you, Sonu Kumar Chaudhary."*

3. The Counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. The occurrence took place on 02.04.2023 whereas the FIR came to be registered only on 03.04.2023. However, taking the prosecution case to be correct, the recovery of the mobile phone had been effected from the co-accused Rawinder Singh @ Manav who has also been attributed an injury on the person of the complainant. So far as the present petitioner is concerned, no specific role has been attributed to him. As the petitioner was a first time offender, in custody since 18.04.2023 and only 03 out of the 12 prosecution witnesses have been examined so far, the Trial of the present case was not likely to be concluded anytime soon and, therefore, he was entitled to the concession of bail.

4. The Counsel for the State on the other hand contends that the petitioner along with his co-accused committed the offence in question. Therefore, the nature of the allegations levelled against them did not entitle them to the grant of bail. He however concedes that the petitioner is a first time offender, in custody since 18.04.2023 and that only 03 out of 12 prosecution witnesses have been examined so far.

5.

I have heard learned Counsel for both the parties at length.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is a first time offender, in custody since 18.04.2023 and only 03 out of the 12 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation the further incarceration of the petitioner is not required.
7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Deepanshu @ Laddu** son of Sh. Prem Kumar is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.
8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the present case.
9. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.
10. The petition stands disposed of.

( JASJIT SINGH BEDI )  
JUDGE

February 06, 2023

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| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |