

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

226 CRM-M-5935-2024
Date of Decision.:20.03.2024

Pargat SinghPetitioner
Vs.
State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. K.S. Brar, Advocate
for the petitioner.

Mr. G.P.S. Bhullar, AAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.599 dated 24.11.2023 registered under Sections 379-B(2), 34, 411 of the IPC registered at Police Station Division No.7, Ludhiana District Ludhiana.

2. As per allegations, on 10.11.2023 complainant Ravi Rajbhar was going towards his house. At about 02:00 p.m. as he reached near Tajpur Road Octroi, three motorcycle riders came there and waylaid him. They put knife on his neck and one of them snatched his mobile and fled away.
3. Learned counsel for the petitioner contends that petitioner has been falsely implicated; that though the occurrence is alleged to have taken place on 10.11.2023 but FIR was lodged on 24.11.2023 after a delay of 14 days. Learned counsel further contends that false recovery of mobile phone and wallet of the complainant has been shown from the petitioner. Learned

counsel also contends that petitioner is in custody for the last more than 03 months and that trial is likely to take long time to conclude and so, he be allowed bail.

4. Despite opportunity provided to respondent- State, status report has not been filed. Custody certificate has been placed on record as per which petitioner is in custody for the last 03 months and 23 days.

5. As per the order of learned Additional Sessions Judge, whereby the bail petition of the petitioner was dismissed, though the occurrence took place on 10.11.2023 but the FIR was lodged on 24.11.2023. There is no explanation for 14 days delay in lodging the FIR. Trial may take long time to conclude.

6. Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

March 20, 2024
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No