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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-10790-2024
Date of decision: 11th July, 2024

Ladla
Versus
State of Punjab
...Petitioner(s)
...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ankit Kharbanda, Advocate for the petitioner.
Mr. A.S. Samra, AAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 439 of Cr.P.C.
seeking regular bail in the FIR mentioned below:-

FIR No.	Date	Police Station	Sections
20	11.01.2022	Division B, District Amristar	392, 342, 506 and 34 of Indian Penal Code, 1860 and Sections 25 and 27 of Arms Act, 1959

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Manpreet Kaur alleging therein that on 11.01.2022, she was out of her house when she received a call from her daughter Riya about two unknown youths’ visiting their house and willing to talk to the complainant with regard to her husband who was lodged in jail.



The daughter of the complainant on her phone made her talk to one of those two youths who told her that they had been sent by her husband. The complainant by assuring that she would shortly reach the house rushed there alongwith her sister who was accompanying her and reached there at about 3:50 PM. Two youths present in her house told her that they had met with her husband in jail on the previous day and stated that his health condition was very bad. While they were having conversation, her children and her niece, who were present in the house had left for market. Thereafter, one of those two youths called the complainant in the lobby of her house and by taking out a sword and flanking it, he threatened her to give whatever she was having in the house otherwise he would kill all of them. Other youth showed her some firearm by picking up his jacket and both of them then caught hold of her sister and herself as well as the daughter of her domestic help who was also present in the house and by extending threats, they took out cash amount of Rs. 2,00,000/- and gold ornaments kept in her house, some of which belonged to her husband who was in the business of selling jewellery and then after taking away her mobile phone, those two youths locked them in a room and fled away.

3. As per the further allegations, after registration of FIR, investigation proceedings were initiated. The complainant handed over one pen drive containing CCTV camera footage as taken from the DVR installed inside/outside of her house and also bills regarding purchase of the snatched mobile phone. On the basis of secret information, the present petitioner and co-accused Jarnail Singh were nominated as accused in this case. They were



arrested on 23.03.2022 and 24.03.2022 respectively. During interrogation, they suffered disclosure statements admitting their involvement in the subject crime. The complainant identified the present petitioner as one of the persons who had committed the subject offence in her house. The co-accused Sunny was arrested on 25.04.2022. He too was identified by the complainant. The CCTV camera footage also showed them. The investigation has since been completed and the petitioner alongwith co-accused is facing trial before the learned trial Court. He had moved an application for grant of regular bail before the learned trial Court which was dismissed vide order dated 08.01.2024.

3. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case due to enmity between the husband of the complainant namely Sonu Konda and the petitioner and co-accused Sunny Kumar on the other side. No offence is alleged in the complaint had been committed by them and on the fateful day, he had gone to the house of the complainant with the co-accused just to ask the complainant to tell her husband to not to mess with them. A quarrel had taken place between them and on alarm being raised by the complainant, the petitioner along with the co-accused fled from the spot. He has been acquitted in a case registered under Section 302 of IPC against him. It is submitted that he is in custody since 23.03.2022. The material witnesses have been examined. There are no chances of his intimidating them. The trial is likely to take time. No useful purpose would be served by keeping him in custody anymore. Therefore, it is argued that



the petitioner deserves to be extended benefit of regular bail.

4. Status report has been filed by the respondent-State. It is submitted therein and it is argued by learned State counsel that there are serious and specific allegations against the petitioner. The footage of the crime seen was taken in pen drive from the DVR of the CCTV cameras installed inside/outside of the house of the complainant and same clearly showed the petitioner and the co-accused while fleeing from the house of the complainant. The complainant and her daughter who are material witnesses have supported the prosecution version in their respective sworn depositions as recorded before the learned trial Court. The petitioner has criminal antecedents as two cases under Sections 307 and 302 of IPC had been registered against him. There are chances of his absconding, if extended benefit of bail. There is nothing on record to show that there would be any undue delay in conclusion of the trial. As such, it is argued that the petition does not deserve to be allowed.

5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record carefully.

6. The petitioner along with co-accused is alleged to have gone to the house of the complainant on 11.01.2022 and after wrongfully restraining the complainant and her family members and extending threats to them and showing firearm, he is alleged to have committed offence of robbery in her house by looting a sum of Rs. 2,00,000/- and gold ornaments. The complainant and her daughter have supported the prosecution case and have



identified the petitioner and co-accused in the Court as the persons who had committed offence of robbery etc. in their house on 11.01.2022. The allegations against the petitioner are serious in nature. Keeping in view the gravity of the same, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. Since the main petition has been dismissed, pending application if any is rendered infructuous.

[MANISHA BATRA]
JUDGE

11th July, 2024
Parveen Sharma

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