

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

245

CRM-M-10462-2024
Date of decision : 04.03.2024

Prabhjeet Singh @ Prabh Petitioner

versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Sahil Soi, Advocate
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.159 dated 08.08.2023, registered for the offences punishable under Sections 379-B and 34 of IPC, 1860 (Section 411 of IPC, 1860 and Sections 25, 27 and 54 of Arms Act, 1959 added later on) at Police Station Division No.6, District Police Commissionerate, Jalandhar.
2. FIR was registered was on information supplied by one Laksh son of Mohinderpal, who alleged as under:-

“Stated that I am resident of aforesaid address. I study in +1 in Law Blossom School near Jalandhar heights-1 Jalandhar. Today on 8-8-2023 at about 1:00 PM, I upon boarding my car swift white colour No. PB08-DW-4423 and had come to Kamal Dhaba Model Town Jalandhar for getting the meals. During this I parked my aforementioned number car in street near Guru Amardass Public

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School Model Town Jalandhar. When after I get my meals and came back from Dhaba at about 1:09 PM and I after opening the driver side door of car and was about to sit in the car then at once a clean shave person who had worn an orange colour t-shirt and was wearing a cap caught hold of me. In the meantime two other unknown persons came on foot from the backside of the car who caught hold of me. Out of them one unknown person brandished pistol upon me and demanded keys of car from me. I under fear gave the car keys to aforesaid persons. Upon which the aforementioned three unknown persons by brandishing pistol upon me took away my car. Kindly take legal action against aforementioned unknown persons who have snatched car from me. Aforesaid statement has been got recorded by me in the presence of my father Mohinderpal. Statement has been got recorded, read/heard and is correct.xxxx”

3. Counsel for the petitioner submits that FIR was registered against the unknown persons. Challan already stands presented. At the stage of framing of charge, offence qua Arms Act stands deleted.

4. Petitioner is behind bar since 09.08.2023. Trial is not likely to conclude in the near future, thus no useful purpose would be served by keeping the petitioner behind bars in judicial custody.

5. State counsel, however, submits that the car which was snatched was later on recovered from the petitioner and thus he does not deserve to be released on bail. However, he is not in a position to dispute that the investigation stands concluded, challan stands presented and the petitioner has clean antecedents.

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6. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

7. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

04.03.2024
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Whether speaking/reasoned :	Yes
Whether Reportable :	No