

2024:PHHC:068229



S. No.212

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-14380 of 2024

Date of Decision:15.05.2024

Harpreet Singh @ Joban

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ranjit Sharma, Advocate for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.0098 dated 31.08.2023 registered under Sections 379-B(2)/411/34 IPC at Police Station Majitha Road, Amritsar.

2. Status report by way of affidavit of Shri Varinder Singh Khosa, PPS, Assistant Commissioner of Police, North, Amritsar has been filed on behalf of the respondent- State, along with the custody certificate.

3. As per prosecution allegations, FIR was lodged on the complaint of Vishal, as per which on, 31.08.2023 at about 11:30 PM, he was present near Ajanta Public School, when three persons came from behind on their Activa and stopped the same in front of the complainant. It is alleged that one of the person put a Kirch on the waist of the complainant, then they snatched his Activa and fled away.

4. During investigation, petitioner and co-accused were arrested in another case bearing FIR No.100 of 2023, registered at Police Station Majitha

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Road, Amritsar, in which they suffered disclosure statement to have committed the crime of the present case. It is also the prosecution case that co-accused Jaskarandeep Singh and Sukwhinder Singh alias Sanju, in their disclosure statements revealed that they along with Palwinder Singh had committed the snatching of the present case, whereas petitioner was standing at some distance to keep surveillance.

5. Learned counsel contends that the petitioner has been falsely implicated simply on the basis of disclosure statement of co-accused; that the petitioner has not been identified by the complainant; that petitioner, even as per the disclosure statement of co-accused, did not participate in the snatching; that petitioner is in custody for the last more than eight months and so, in all these circumstances, he be allowed bail.

6. Learned State Counsel has opposed the bail petition by pointing out towards nature of the offence.

7. However, it is conceded that as per the investigation, petitioner was only guarding the other co-accused, who committed the snatching.

8. Custody certificate placed on record would reveal that the petitioner is in custody for the last 08 months and 06 days, though he is involved in one more case of the similar nature.

9. Learned State Counsel, on instructions from ASI Kuldeep Singh, informs that though challan was presented before the Court but charges are yet to be framed. Thus, trial is likely to take long time to conclude.



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10. Having regard to all the afore-said facts and circumstances of the case, but without commenting anything further on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate, on usual terms and conditions.

May 15, 2024
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(DEEPAK GUPTA)
JUDGE

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