

224(2)

Neutral Citation No.2024:PHHC:059131
Neutral Citation No.2024:PHHC:059135

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Date of Decision: 30.04.2024

1. CRM-M-11646 of 2024

Arpit Rana alias Mohit Kumar	Petitioner
Vs.	
State of Punjab	Respondent

2. CRM-M-17790 of 2024

Karandeep Singh alias Dub	Petitioner
Vs.	
State of Punjab	Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. G.S. Bawa, Advocate for the petitioner in
CRM-M-11646 of 2024.

Mr. Neeraj Yadav, Advocate for the petitioner in
CRM-M-17790 of 2024.

Mr. Sahil R. Bakshi, AAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

Separate status reports by way of affidavit of Shri Sukhpal Singh, PPS, Assistant Commissioner of Police, West, Amrisar have been filed on behalf of respondent- State, along with the custody certificates in both the cases.

2. In the two petitions, both filed under Section 439 Cr.P.C., petitioners pray for their release on regular bail in case FIR No.274 dated 11.12.2023 registered under Section 379-B(2), 411, 34 IPC at Police Station Chheharta, District Police Commissionerate, Amritsar.

3. As per allegations, occurrence took place on 10.12.2023 at about 10:30/11:00 PM, when complainant - Jitesh Arora had gone to the market in his Baleno Car. He was stopped by three unknown boys who had

come on motor-cycle. One of the boys was armed with a sickle and demanded ₹100/- from the complainant. It is alleged that as complainant took out the bag of documents from the car, the two other boys put his mobile from the car in their pocket and fled away along with the car.

4. As per the status report, the car was later on recovered in abandoned condition from Dhaka Colony, backside Khandwala Chheharta, Amritsar. It is further the prosecution case that after six days, i.e. on 16.12.2023, complainant – Jitesh Arora made supplementary statement stating that he had seen the faces of the culprits in the light of the car and had come to know their names to be Karandeep Singh (petitioner in CRM-M-17790 of 2024), Ajay Pal Singh and Gaurav alias Rana and later on, accused Gaurav alias Rana nominated the accused – Arpit Rana (petitioner in CRM-M-11646 of 2024).

5. It is contended by learned counsel that both the petitioners have been falsely implicated and were in custody for the last more than four months; that none of the petitioners are involved in any other case and that the trial may take long time to conclude, and so, they be allowed bail.

6. Custody certificates would reveal that both the petitioners are in custody for the last 04 months and 10 days with no other case pending against them.

7. Occurrence took place on 10.12.2023 at about 10:30/11:00 PM. FIR was lodged on 11.12.2023 against unknown culprits. It is not stated in the FIR by the complainant that he could identify the snatchers, if produced before him. It is after six days of the incident i.e. on 16.12.2023 that

complainant is stated to have made supplementary statement, disclosing the

names of the three snatchers by stating that he had seen their faces in the light of the car, without disclosing the source of information as to how he came to know about their names, when he had not disclosed the same in the initial version (FIR).

8. Learned State Counsel also informs that although the challan has been filed but even the charges have not been framed so far.

9. Having regard to the afore-said facts and circumstances, but without commenting anything further on merits of the case, present petitions are allowed. Petitioners are admitted to bail on their furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

A photocopy of this order be placed on the file of connected case.

30.04.2024
pry

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No