

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-19443-2024
Date of decision: 11.07.2024

RAVINDER SINGH @ RAVIPETITIONER(S)

Versus

STATE OF PUNJABRESPONDENT(S)

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Vansh Chawla, Advocate for the petitioner.
Mr. Adesh Pal Singh, AAG, Punjab.

SANJIV BERRY, J.(ORAL)

Custody certificate dated 10.07.2024 filed in Court today. The same is taken on record. Copy thereof has been supplied to the opposite counsel.

2. By way of present petition filed under Section 439 Cr.P.C, the petitioner seeks regular bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
14	17.01.2023	379-B, 511, 34 of IPC and Section 25 of Arms Act, 1959 and Section 120-B of IPC and Section 27 of Arms Act added later on.	Division No.1, District Ludhiana, Punjab.

3. Arguments heard.

4. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case.
He contends that the petitioner has no concern whatsoever with the alleged

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incident and has been arrested on 23.01.2023. He further contends that the challan has already been presented in the Court and the prosecution has not examined even a single witness out of 18 witnesses cited by it. He contends that no recovery has been effected from the petitioner and he, as such, prays for grant of regular bail.

5. On the other hand, learned State counsel has opposed the bail application by arguing that the petitioner had come to the hotel of the complainant along with the co-accused in muffled faces and giving threat with a pistol, asked the complainant to hand over the cash and in the meanwhile they ran away from the spot. Subsequently, the petitioner was arrested on 23.01.2023 and since then he is in custody.

6. After considering the rival contentions and perusing the record, it transpires that the petitioner is not named in the FIR and he alongwith the co-accused were arrested in this case. Admittedly, co-accused Vishal Verma @ Mani and David have been granted concession of regular bail vide CRM-M-13146-2023 and CRM-M-27103-2023 (Annexure P-5 and Annexure P-6) respectively. No recovery had been effected from the petitioner. Admittedly, out of 18 witnesses cited by the prosecution, none has been examined till date and conclusion of the trial to ascertain criminal liability, if any, of the petitioner will take sufficient long time and no purpose would be served by detaining the petitioner in custody any longer.

7. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on



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learned trial Court/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

11.07.2024
preeti/kanika

(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No/ |