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

CRM-M-20931-2024

Date of Decision:- 12.12.2024

Harmandeep Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Gursimran S. Bawa, Advocate for the petitioner.

Mr. Kewal Singh, Addl. A.G., Punjab.

AMARJOT BHATTI, J.

1. Petitioner – Harmandeep Singh has filed petition under Section 439 of Cr.P.C. for grant of regular bail in FIR No.230 dated 12.12.2023, under Section 379-B(2) of IPC, 1860 (Section 411 of IPC was added later on), registered at Police Station Civil Lines, District Police Commissionerate, Amritsar (Annexure P-1).

2. As per the facts of case, Manish Sharma complainant gave his statement that he is working as Reporter in Zee News. On 11.12.2023 at about 2:00 PM, he went to DAV Public School, Police Line to pick up his daughter. During this time, he took out his mobile phone which was snatched by an unknown person riding Activa bearing No.PB-07-BM-5187. He also attacked him with a sharp edged weapon but he managed to escape. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that petitioner is falsely implicated in this case. Co-accused Sandeep Dhawan @ Golu is granted



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concession of regular bail vide order dated 06.02.2024 (Annexure P-2). Challan is already presented but chargesheet is yet to be framed. Petitioner is behind the bars for the last about one year. He will abide by the terms of bail order. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. Status report has been filed confirming the fact that challan is presented on 11.03.2024. Co-accused Sandeep Dhawan @ Golu absented and his arrest warrants have been issued. Therefore, chargesheet is yet to be framed. There are specific allegations against the petitioner. Therefore, he is not entitled to be released on bail.

6. I have considered the arguments and have gone through the record carefully. Present petitioner was arrested on 12.12.2023 and he is behind the bars for the last one year. Co-accused Sandeep Dhawan @ Golu was granted bail vide order dated 06.02.2024. Now he has absented, therefore, proceedings before the trial Court could not proceed further. It cannot be ignored that present petitioner is in custody for the last one year. He cannot be kept behind the bars for indefinite time period. Therefore, in the light of aforesaid factual position, without going on the merits of the case, regular bail petition filed by petitioner – Harmandeep Singh is allowed. He is ordered to be released on bail on furnishing bail bonds along with two local sureties in the like amount to the satisfaction of trial Court/Duty Judge concerned.

12.12.2024

Sunil Devi

(AMARJOT BHATTI)
JUDGEWhether speaking/reasoned:
Whether reportable:Yes/No
Yes/No