



CRM-M-23733-2024

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

CRM-M-23733-2024

Date of Decision: 18.12.2024

Dilharjit Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Shubham Gupta, Advocate for the petitioner.

Mr.Karunesh Kaushal, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting him regular bail in case FIR No.233 dated 13.10.2023 under Sections 388, 389, 420, 120-B IPC (Sections 370, 370-A IPC added lateron), registered at Police Station City Rupnagar, District Rupnagar.

2. As per facts of the case, FIR was registered on the statement of Sunil Kumar, wherein, it was alleged that allegations against Dilharjit Singh (petitioner) in the FIR No.222/2023, registered at Police Station City Rupnagar lodged by Sunita Devi are correct. It was alleged that Dilharjit Singh (petitioner) grabbed Rs.15 lacs from the complainant as well. It was further alleged that time and again, he grabbed money from him i.e. Rs.7 lacs on 26.06.2023 and Rs.8 lacs on 27.06.2023. Request was made to take legal action against the accused. On the registration of the FIR, investigation commenced and the petitioner was arrested on 16.10.2023. He approached the Court of learned Sessions Judge, Rupnagar praying for grant of regular bail, however, on hearing both the sides, learned Court declined the same vide order dated 21.03.2024. Hence, the petitioner is before this Court by



way of filing the present petition praying for grant of regular bail.

3. It has been vehemently contended by counsel for the petitioner that the petitioner has been falsely and frivolously implicated in this case. He submits that as the petitioner is involved in other cases, the present FIR has been registered against him. He submits that though the petitioner is involved in nine other cases, however, he has been acquitted in those cases. To buttress his arguments, he submits that in the present case, the complainant and other material witnesses have been examined as PW-1 to PW-4 and all these witnesses have not supported the case of the prosecution as they have turned hostile. He submits that when the material witnesses have not supported the case of the petitioner, his further incarceration is totally unwarranted. He, thus, submits that in the overall facts and circumstances of the case, the petitioner deserves to be granted bail.

4. Learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner is a habitual offender as he is involved in other cases. He submits that in all there are six accused in the present case, out of which four accused are on bail.

5. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner is behind bars since 16.10.2023. Though he is involved in other cases as well, however, as submitted before this Court, he has been acquitted in those cases. In the present case, all the material witnesses including the complainant have been examined as PW-1 to PW-4 and as per their testimony, they have not supported the case of the prosecution. Out of total six accused, four accused are already on bail.

6. The veracity of the allegations would be assessed only after the

conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

18.12.2024		(RAJESH BHARDWAJ)
sharmila		JUDGE
	Whether Speaking/Reasoned :	Yes/No
	Whether Reportable :	Yes/No