



In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-25305-2024 (O&M)
Date of Decision: 13.8.2024

Hardeep Singh @ Gora ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Prashant Vashisth, Advocate for the petitioner.
Mr. Inderjeet Singh Ladher, DAG, Punjab.

FIR No.	Dated	Police Station	Section/s
84	20.5.2023	City Jagraon, Ludhiana Rural	394 and 34 of Indian Penal Code wherein offence under Section 201 IPC was added later on

GURVINDER SINGH GILL, J. (Oral)

- The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
- The FIR in question was lodged at the instance of Simar Singh Gill, wherein it is alleged that on 19.5.2023 when he was going on his Bajaj Platina scooter after closing his shop and was near Khand Mill Colony, then at about 8:30 P.M. three motorcycle borne persons came parallel to his motorcycle. The person sitting in the middle inflicted an injury with a sharp edged weapon towards his forehead, which hit him on his right eyebrow and as a result of which, his bike fell down. It is further alleged that two persons took snatched

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(2)

his mobile phone, make iphone 7 having sim No.94632-00414 and also searched him. When the complainant raised alarm the aforesaid persons sped away from the spot. It is alleged that the complainant had sustained an injury on his head and other injuries as well and was taken to Civil Hospital, Jagraon for treatment. It is further stated therein that one of the person amongst the three assailants, who had snatched his mobile, came to be known as Hardeep Singh, who had been referred to Civil Hospital, Ludhiana.

3. Learned counsel for the petitioner submits that the present case is infact a case of a road side accident, which has now been given the colour of a robbery. Learned counsel for the petitioner has referred to the MLR in respect of the complainant annexed as Annexure P-2, wherein the case is mentioned to be a case of “RSA” i.e. road side accident. Learned counsel for the petitioner submitted that the petitioner as on date has been behind bars since the last more than 7 months and otherwise has a clean record.
4. Opposing the petition, learned State counsel submitted that since the petitioner is specifically named in the FIR, no case for grant of bail is made out. It has, however, been informed that the petitioner as on date has been behind bars since the last more than 7 months and is not involved in any other case. It has also been informed that as on date none out of cited 10 PWs has been examined.
5. This Court has considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case particularly the fact that the petitioner has been behind bars for a substantial period of more than 7



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months and the trial has not even commenced till date and as many as 10 PWs have been cited, further detention of the petitioner will not serve any useful purpose.

7. The instant petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

13.8.2024
Pankaj/G

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No