

**CRM-M-26671-2024****1****IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH****CRM-M-26671-2024****Date of decision : May 30, 2024**

Arjun @ Bakri

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Tushar Wadhwa, Advocate, for the petitioner
Mr. Akshay Kumar, AAG, Punjab

KULDEEP TIWARI,J. (ORAL)

1. Through the instant petition filed under Section 439 Cr.P.C. the petitioner prays for grant of regular bail in case FIR No. 234 dated 21.11.2023, under Sections 379, 379-B, 411, 34 IPC, registered at Police Station Tibba, District Ludhiana.

2. The prosecution story, as set up in the instant FIR, is that on 19.11.2023 at about 12.00 PM, the petitioner along with the co-accused, riding on a motorcycle, snatched the ear rings of Ranjit Kaur, wife of the complainant Balbir Singh, when they were on the way to the market. The complainant ran towards them, and Ranjit Kaur wife tried to caught hold of them. One of them caused fear of hurt to them by showing an iron *daah*, and then fled away on the motorcycle. During the investigation, the present

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petitioner was arrested on 21.11.2023.

3. Learned counsel for the petitioner submits that though the recovery of ear rings has been shown to be effected from the present petitioner, however, identification of those ear rings, and the connection of the present petitioner with the alleged crime, is yet to be established by the prosecution during the trial. He further submits that the petitioner is a first time offender, and is not involved in any other criminal case, and suffered incarceration for more than six months.

4. Learned State counsel opposed the grant of regular bail to the petitioner, and submits the custody certificate qua the petitioner, which is taken on record. He also informs this Court, on the instructions imparted to him by ASI Ravinder Kumar, that challan has been presented on 10.1.2024, and charges have been framed on dated 12.3.2024, and out of total 13 witnesses cited by the prosecution, none has been examined till date.

5. This Court has considered the submissions made by the learned counsel for both the parties concerned, and is of the view that the petitioner who is having clean antecedents, and suffered incarceration for 6 months and 5 days as on today, and the trial is yet to begin, deserves to be released on regular bail.

6. In view of the above, the present petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.



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7. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

May 30, 2024

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(KULDEEP TIWARI)

JUDGE

Whether speaking/reasoned ?

Whether Reportable ?

Yes/No

Yes/No