



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

**CRM-M-29420-2024**

**Date of Decision : 14.08.2024**

**RAHUL SHARMA @ NANCY**

.....Petitioner

***VERSUS***

**STATE OF PUNJAB**

.....Respondent

**CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present : Mr. Rajiv Kumar Saini, Advocate,  
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

**KULDEEP TIWARI, J.(Oral)**

1. Through the instant petition, the petitioner craves for indulgence of this Court for him being enlarged on regular bail, in case FIR No.19, dated 13.02.2024, under Section 379-B(2) and 34 of the IPC and under Section 25/54/59 of the Arms Act, registered at Police Station Civil Lines, Amritsar.

2. The prosecution case was set into motion on a complaint made one Surinder Kumar, wherein he alleged that two muffled unknown persons by putting the complainant under the fear of pistol has snatched a bag containing cash amount. Thereupon, during the investigation on the basis of a secret information present petitioner was arrested and his confessional statement was recorded on 26.02.2024, wherein he disclosed that he alongwith his co-accused Rahul, Sunny, Kashi, Vishu, Manish and Manpreet Singh, planned to commit the said offence. He further disclosed

that at the relevant time the petitioner-Rahul alongwith his brother-in-law Manpreet Singh was travelling in his car and following the complainant and then Kashi and Vishu were coming on a motorcycle and upon receipt of information regarding the complainant, who was coming with a bag in his hand, then all the aforesaid accused persons in connivance with each other committed the offence of snatching and thereafter, distributed the snatched amount with each other. As per the prosecution case, in pursuance of the disclosure statement, the petitioner got recovered Rs.28,000/-.

3. Learned counsel for the petitioner, in asking for the relief of regular bail, submits that there is nothing on record which could connect him with the present crime and the recovery of the amount from the petitioner, cannot legally substantiate the allegation of the prosecution.

4. He further submits that the petitioner has suffered incarceration of more than 5 months, and the conclusion of the trial will take a long time.

5. He further submits that one of the co-accused of the petitioner has been granted the relief of interim anticipatory bail by this Court, vide order dated 04.04.2024.

6. *Per contra*, learned State counsel vociferously has opposed the asked for relief (*supra*), to the present petitioner, and has placed on record a custody certificate *qua* the petitioner, which is taken on record. It reveals that the petitioner has suffered incarceration of 5 months and 16

days as on today, and he is involved in two more criminal cases, out of one is under NDPS Act, however, he is on bail on both the cases.

7. He, on instructions imparted to him by ASI Balwinder Singh, submits that final report has been filed on 21.05.2024, and the charges are yet to be framed, and in the final report the prosecution has cited total 30 witnesses.

9. This Court has heard the learned counsel for both the parties concerned, and has gone through the entire case file.

10. Be that as it may, considering the fact that the petitioner has suffered sufficient incarceration of 5 months and 16 days as on today, and the trial is yet to begin as charges are yet to be framed, and there are total 30 prosecution witnesses cited in the final report, therefore conclusion of the trial would take long time, coupled with the fact that one of the co-accused has been granted the interim bail by this Court, this Court deems it fit and appropriate to grant the concession of regular bail to the petitioner, during the pendency of trial. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail, on furnishing of bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

11. However, it is clarified that if in future, the petitioner is found indulging in commission of similar offences, as is involved herein,

the respondent-State shall be at liberty to make an appropriate application seeking cancellation of regular bail, as granted by this Court. Moreover, anything observed here-in-above shall have no effect on the merits of the trial and is meant for deciding the present petition only.

August 14, 2024  
*dharamvir*

(KULDEEP TIWARI)  
JUDGE

|                            |   |        |
|----------------------------|---|--------|
| Whether speaking/reasoned. | : | Yes/No |
| Whether Reportable.        | : | Yes/No |