



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

229+232

Date of Decision:- 04.10.2024

1. CRM-M-33078-2024 (O&M)

AMIT KUMAR

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

2. CRM-M-34188-2024 (O&M)

KUNDAN KUMAR

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Gursahib Singh Hundal, Advocate for the petitioner(s).

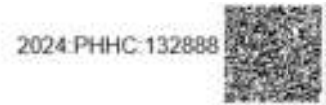
Mr. Jatinder Pal Singh, Sr. DAG Punjab.

Mr. Mayank Vashisht, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

1. Vide this common order, the above-mentioned two bail petitions shall be decided as they arise out of same FIR.

2. The instant petitions have been preferred by the petitioners under Section 439 CrPC for grant of regular bail to the petitioners in the following case :-



FIR No.	Dated	Sections	Police Station
122	04.06.2024	379-B and 411 IPC	City Jagraon, District Ludhiana Rural

3. It is, *inter alia*, contended by learned counsel for the petitioners that the petitioners are innocent and have been falsely implicated in this case. He submits that petitioner-Kundan was arrested on 04.06.2024 and petitioner-Amit was apprehended by the Police on 12.06.2024. As per the FIR, the petitioners are alleged to have snatched the purse of the complainant having ₹30,000/- and one mobile phone of the complainant and joint recovery has already been effected from them. He submits that there is no other case registered against the petitioners. He further submits that the matter has been compromised and the conclusion of trial is likely to take sufficient long time. Hence, prayed for grant of concession of bail to the petitioners.
4. *Per contra*, learned State counsel while referring to the status report dated 12.08.2024 filed in CRM-M-34188-2024 submits that there are specific allegations against the petitioners of having snatched the purse of the complainant containing ₹30,000/- and his mobile phone. He has however admitted that challan has been presented in the Court, which is pending trial.
5. Mr. Mayank Vashishth, Advocate has put in appearance on behalf of the complainant and filed his power of attorney in CRM-M-34188-2024, which is taken on record. He submits that the parties have compromised the matter vide Annexure P-2 and the complainant has no



objection in the case the petitioners are enlarged on bail.

6. Heard learned counsel for the parties and perused the record.
7. After considering the rival contentions and perusing the record, it transpires that after the completion of investigation, challan has been presented against the petitioners and they are not involved in any other case. The recovery stands effected from them and the criminal liability, if any, of the petitioners, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioners any longer.
8. Consequently, without commenting on the merits of the case, the present petitions are allowed. The petitioners are ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.
9. Any observation made above shall not be construed as opinion of this Court on the merits of the case.
10. Pending miscellaneous application(s), if any, stand disposed of.

(SANJIV BERRY)
JUDGE

04.10.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |