



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.35861 of 2024
Date of Decision: 01.08.2024

Suraj Singh ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. L.M. Gulati, Advocate,
for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner seeking regular bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
238	03.11.2023	Chheharta, District Police Commissionerate Amritsar	379B (2) and 34 of IPC and 25 and 27 of Arms Act, 1959 (later on 323 of IPC was added)

2. Brief facts of the case relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Gurmail Singh alleging therein that on 03.11.2023, he along with his wife Rajbir Kaur was going towards Guru Nanak Dev University ASR on his motorbike. At about 6:45 AM, when they had reached at CIPIT College Road, suddenly they were intercepted by a White Innova vehicle which came from behind. Four-five youths who were occupying the same, stopped his vehicle. By

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showing pistol and knife, they snatched his wallet containing cash amount of Rs.600, his mobile phone and also tried to snatch the purse of his wife. When she did not let them to do so, they struck a blow with knife on her left hand and then snatched her purse which was carrying a mobile phone, cash amount of Rs.150/- and some passbooks of SBI Bank. After registration of FIR, investigation proceedings were initiated. The petitioner and co-accused were nominated as accused. They were arrested. During investigation, they were interrogated and suffered statement admitting their involvement in the subject crime and also disclosed the names of co-accused Vijay Kumar and Chiri. The petitioner moved an application for grant of regular bail which had been dismissed by the Court of learned Additional Sessions Judge, Amritsar vide order dated 06.07.2024.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. Neither description of the snatchers/assailants had been given in the same. No recovery has been effected from him. No overt act has been attributed to him. Investigation has since been completed and challan qua him has been presented. His custodial interrogation is, therefore, not required. The trial is likely to take time. No useful purpose would be served by keeping him in custody any more. Therefore, it is urged that he deserves to be extended benefit of bail.

4. Learned State counsel who has advance notice of the petition has submitted that he is ready to argue. It is vehemently argued by him that there are serious allegations against the petitioner. He is involved in seven other criminal cases. There are chances of his absconding or committing

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similar offences if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record.

6. The petitioner along with the co-accused is alleged to have snatched the belonging of the complainant and his wife on 03.11.2023 after causing injuries to his wife. He is in custody since 20.11.2023. The investigation has since been completed. Trial is likely to take time. His further detention would not serve any useful purpose. It is well settled proposition of law that bail is the rule and jail is an exception. Therefore, in view of this discussion but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petitioner deserves to be given concession of bail at this stage. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court.

01.08.2024
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No