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

CRM-M-35716-2024

Date of Decision: 01.08.2024

Aslam Khan

...Petitioner

VS.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Aruz Khan, Advocate, for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.55 dated 18.05.2024 registered under Sections 454, 380, 411 of IPC, at Police Station Nangal, District Rupnagar.

2. Learned counsel for the petitioner contends that the petitioner was not named in the FIR nor there is any averment in the FIR, which connects the petitioner with the alleged crime. In fact, the petitioner has been arrested in the present case on the basis of the disclosure statement suffered by co-accused Ram Singh and the alleged CCTV footage. He further contends that the petitioner was not identified in the said CCTV camera footage also and has been wrongly involved in the present case. He further submits that the ingredients of the offence under Section 454 and 380 of IPC are completely missing in the facts and circumstances of the present case. The petitioner was arrested in the present case on 18.05.2024 and the challan has already been



presented against him. Learned counsel further contends that the petitioner was never involved in any other criminal activity in the past.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the petitioner and he does not deserve the concession of bail by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. The petitioner has been nominated as an accused in the present case on the basis of the disclosure statement made by co-accused, Ram Singh and five stolen gas cylinders have already recovered from the present petitioner. After completion of the investigation, challan has already been presented against him and the conclusion of the trial may take quite a long time.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

01.08.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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