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

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Date of decision: 26th September, 2024

Pankaj Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ketan Chopra, Advocate for the petitioner.
Mr. A.S. Samra, AAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking regular bail in case bearing FIR No. 67 dated 21.06.2024 registered under Sections 379-B, 411 and 34-B of IPC, 1860 at Police Station Division No.3, District Ludhiana.

2. Adumbrated facts as enumerated from the record are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Sanjit Choudhary alleging therein that on 21.06.2024 at about 8:30 AM, he was present at Dhandari Station as he had to go to his native village at Bihar when a person who was standing there started having conversation with him. During the course of conversation, the complainant disclosed to him that he was going to Orai, Bihar, the said person also told him that he too was going to the same place. He offered the complainant to

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accompany him in Karambhoomi Train which would be more comfortable instead of Jansewa train while representing that his brother-in-law was T.T. in that train. Believing him, the complainant agreed and then the said person took him along with him for the purpose of reaching the office of his brother-in-law. While on the way, the said person asked the complainant about the money he was having, the complainant suspected some foul play. In the meanwhile, one more person reached there and then both of them snatching amount of Rs. 2000/- from the pocket of his shirt and tried to flee, however, the complainant raised alarm which attracted the attention of general public and both of those persons were apprehended. On asking, they disclosed their names as Sunil Mahato and Pankaj Kumar (present petitioner). The complainant had brought them to the police station and prayed for taking action against them. After registration of FIR, the petitioner and co-accused Sunil were formally arrested. Recovery of the snatched money was effected from them. Investigation has been completed. The petitioner has moved an application for grant of regular bail which was dismissed by learned Sessions Judge, Ludhiana vide order dated 29.07.2024.

3. The present petition has been filed by the petitioner and it has been argued by learned counsel for the petitioner that he has been falsely implicated in this case. No specific role has been attributed to him. He is in custody since 21.06.2024. Trial is likely to take time. His custodial interrogation is not required. There are no chances of his absconding or tampering with prosecution evidence. He has no criminal antecedents. With these broad submissions, it is urged that the petitioner deserves to be



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released on bail.

4. *Per contra*, learned State counsel who has advance notice of the petition submits that the allegations against the petitioner are serious in nature. There are chances of his absconding, if extended benefit of bail. Therefore, it is urged that he does not deserve to be extended benefit of bail.

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

6. The petitioner along with the co-accused is alleged to have snatched cash amount from the complainant as on 21.06.2024. Investigation has since been completed. Challan stands presented. Trial is likely to take time. There is no basis for the contention that the petitioner may abscond or may intimidate the witnesses. As per the above discussed facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

26th September, 2024

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*