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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-49035-2024
Date of decision:-18.12.2024

VIKRAMJIT SINGH @ DHONI
Versus
STATE OF PUNJAB
... Petitioner
... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Raghav Soni, Advocate, for the petitioner.
Mr. Jatinder Pal Singh, Sr. DAG, Punjab.
Mr. Sahil Matharoo, Advocate for complainant.

SANJIV BERRY, J.(ORAL)

Learned State counsel has filed reply by way of affidavit dated 17.12.2024 of Assistant Commissioner of Police, West, Amritsar alongwith custody certificate dated 17.12.2024, the same are taken on record, copies thereof, have been supplied to the counsel opposites.

2. The instant petition has been preferred by the petitioner under Section 439 of the Criminal Procedure Code, for grant of regular bail in the following case:-

FIR No.	Dated	Sections	Police Station
0031	05.02.2021	323, 324, (234), 452, 379B, 506, 148, 149 IPC	Chheharta, District Police Commissionerate Amritsar

3. Arguments heard.

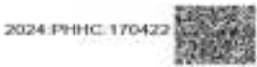
4. It is *inter alia* contended by learned counsel for the petitioner



that the petitioner is innocent and has been falsely implicated in this case. He contends that petitioner is in custody since 29.07.2024, and possible recovery has been effected from the petitioner, after completion of investigation challan has already been presented in Court, it will take sufficient long time to conclude. Hence he prays for grant of regular bail to the petitioner.

5. *On the other hand*, learned State counsel assisted by learned counsel for the complainant has opposed the bail petition by arguing that petitioner has been specifically named in the FIR and allegations of snatching of gold chain has been attributed to the petitioner, as such he is not entitled for concession of bail. However, he has admitted that after completion of investigation, challan has already been presented in Court wherein prosecution has cited 17 witnesses and till date none of them have been examined.

6. After considering the rival contentions and perusing the record, it transpires that the instant FIR was registered at the instance of one Sandeep Kumar, stating that on 04.02.2021 at about 6:30 pm he was sitting outside his shop, suddenly 5/6 persons came there on Innova, Sarwan Singh, Joban Singh and Vikramjit Singh @ Dhoni came and three other person also came on motorcycle, all of them attacked the complainant with sticks and kick blows and petitioner had snatched his gold chain from his neck, on raising alarm, all of them ran away. Subsequently, the petitioner was arrested on 29.07.2024 and possible recovery had been effected, after completion of investigation, challan has already been presented in Court, wherein prosecution has cited 17 witnesses and till date none of them have



been examined. The conclusion of trial to ascertain criminal liability, if any, of the petitioner in the present case will take sufficient long time.

7. In these circumstances, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court 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.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

18.12.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |