



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

CRM-M-52581-2024
Date of Decision: 25.10.2024

KARTAR SINGH @ GURJANT SINGH
....Petitioner

VERSUS

STATE OF HARYANA
....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Manvener S. Chuhan, Advocate for the petitioner.

KARAMJIT SINGH, J.

Prayer in the present petition under Section 483 of BNSS is for grant of regular bail to the petitioner in case FIR No.10 dated 21.01.2024 registered for the offences punishable under Sections 392, 341 of IPC and Section 25 of Arms Act (Sections 397, 201 of IPC added later on) at Police Station Nathu Sarai Chopta, District Sirsa.

2. The allegations in nutshell are that four boys riding on two motorcycles intercepted the complainant while he was going to his house on Discover motorcycle No.HR-24-Q-9037. One of the boy was having kappa while the other boy was carrying pistol and by pointing the said weapons they snatched wallet and mobile phone Redmi, white color having sim No.9992021992 of the complainant. The wallet was having cash worth Rs.3300-3400/- and then the said boys fled away from there.

The present petitioner was nominated as accused on the basis of



disclosure statement suffered by him before the police in another criminal case having FIR No.17 dated 24.01.2024 registered under Sections 398, 401 of IPC and Section 25 of Arms Act. Subsequently, the petitioner was arrested in the present case and one mobile phone and motorcycle were recovered at his instance.

3. Notice of motion.

4. Mr. Parveen Kumar Aggarwal, Deputy A.G., Haryana accepts notice on behalf of the State. The State counsel has resisted the present petition and on instructions from SI Poonam Chand submits that no doubt FIR in this case was registered against unknown persons, the petitioner was nominated as accused on the basis of disclosure statement suffered by him while he was in custody in one another criminal case. Thereafter the petitioner was arrested in the present case and he got effected recovery of the snatched mobile phone and motorcycle. However, the State counsel has not disputed the fact that petitioner is in custody for the last 6 months and 28 days.

5. I have considered the submissions made by the counsel for the parties.

6. Admittedly, the recoveries in this case are stated to be effected which was registered against the unknown persons and the present petitioner was nominated as accused only on the basis of his disclosure statement suffered before the police while he was in custody in some other criminal case. The veracity and admissibility of the said disclosure statement will be tested during trial. Challan has been



presented but charges are not framed till date and even it will take time for the trial to conclude. Admittedly, the petitioner is in custody for the 6 months and 28 days. In the given circumstances, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

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

25.10.2024
Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

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