



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.52543 of 2024
Date of Decision: 25.10.2024

Ajit Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Lakshay Bector, Advocate,
for the petitioner.

Mr. Satjot Singh, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
468	02.10.2023	Division 7, District Police Commissionerate Ludhiana	379B (2), 451, 34 and 506 of IPC

2. As per the prosecution case, on 10.09.2023, the complainant was running a meat shop had received a telephonic call from his friend Prem Singh to whom he had given three goats some days before, to the effect that two persons had come to his house in a Balero vehicle bearing registration No.DL-1-CH 1295 and had forcibly taken away three goats handed over to him by the complainant. On making inquiry, the complainant came to know that the abovesaid vehicle belonged to the

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present petitioner and co-accused Bhupinder Singh. He went to the house of the petitioner and found one of his goats to be present there. With intervention of some persons, that goat had been returned to the complainant and he was told that the remaining two had been sold by the petitioner and his family. The complainant further alleged that on 01.10.2023, the petitioner along with co-accused Bhupinder Singh entered inside his shop while being armed with swords and started extending threats and calling bad names to him and threatened to part with the money which he was having and otherwise to kill him. Thereafter, the petitioner forcibly took an amount of Rs.6000/- from the cash counter of his shop. He prayed for taking action against the petitioner. After registration of FIR, investigation proceedings were initiated and have since been completed. The petitioner had been arrested on 24.02.2024. Presently, he is facing trial for commission of the aforementioned offences.

3. It is argued by learned counsel for the petitioner that FIR of this case has been lodged after substantial delay which has not been explained. He is alleged to have snatched three goats. Recovery of one goat has been falsely planted upon him. No injury has been sustained by the complainant and, therefore, the ingredients for commission of offence under Section 379-B of IPC have not been attracted. The trial is likely to take time. Therefore, it is urged that he deserves to be released on bail.

4. Per contra, learned State counsel who has advance notice of petition, has submitted that there are serious allegations against the petitioner. There are chances of his absconding or intimidating the witnesses



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 co-accused Bhupinder Singh is alleged to have snatched three goats from the friend of the complainant on 10.09.2023 and a sum of Rs.6,000/-from shop of the complainant on 01.10.2023. Investigation has since been completed. Trial is likely to take time. The petitioner is in custody since 24.02.2024. No useful purpose would be served by keeping him in custody any more. It is well settled proposition of law that the bail is the rule and jail is an exception. In view of the above discussed facts 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 released on bail. Hence, 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.

25.10.2024
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(MANISHA BATRA)
JUDGE

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