

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

Neutral Citation No. **2024:PHHC:035932**
CRM-M-56977-2023
Date of Decision: March 13, 2024

Ranjan Kumar @ Chhotu **...Petitioner**

Versus

State of Punjab **...Respondent**

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Tania Mahajan, Advocate for the petitioner.

Mr. Amandeep Singh, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

By way of present petition under Section 439 Cr.P.C. petitioner prays for his release on regular bail in case FIR No.63 dated 07.04.2017, under Sections 458, 380 of IPC, registered at Police Station Sahnewal, District Police Commissionerate, Ludhiana (Challan presented under Sections 379-B, 458, 395 IPC and Section 25 of Act No.54 of 1959 of the Arms Act).

2. As per allegations, on the night intervening 6/7.04.2017, 6-7 boys, mostly muffled faces entered the house of complainant Sunita Goyal and they committed theft of cash, gold jewellery and silver coins etc. Petitioner was arrested on the basis of disclosure statement.

3. Learned counsel for the petitioner contends that petitioner was earlier allowed bail by a co-ordinate Bench of this Court vide order dated 15.03.2019 passed in CRM-M-5788-2019. However, since he had been arrested in another case, he could not appear during the trial of this case, so he was declared proclaimed offender. He was later on arrested in the present case on 01.03.2023 and ever since then, he is in custody.

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4. Learned State counsel opposed the bail petition by submitting that the petitioner was declared proclaimed offender in this case and that numerous other cases are pending against him and he is also convict in one of the case.

5. Custody certificate placed on record by learned State counsel would reveal that as of now, petitioner is in custody since 01.03.2023, i.e. for the last more than 01 year. Prior thereto, he remained in custody as undertrial in this case for a period of 02 years and 02 days, as per the previous custody certificate and in this way, the total custody period of the petitioner in the present case is about 03 years.

6. On instructions from ASI Gurmukh Singh, it is informed by learned State counsel that out of 13 witnesses cited by the prosecution, only 05 have been examined so far. Thus trial is likely to take long time to conclude.

7. Having regard to all the aforesaid facts and circumstances as pointed out by the counsel for the petitioner, but without commenting anything on the merits of the case, petitioner is admitted to bail. He is ordered to be released on bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

March 13, 2024
sarita

(DEEPAK GUPTA)
JUDGE

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