

2024:PHHC:165017



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

246

CRM-M No.60751 of 2024
Date of Decision: 09.12.2024

Sajjan @ Saanjan ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Aarti, Advocate,
for the petitioner.

Mr. Amandeep Singh Samra, 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 the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
48	31.05.2024	Daresi, District Police Commissionerate Ludhiana	379B (2), 411 and 34 of IPC

2. As per the prosecution case, the aforementioned FIR had been registered on the basis of statement recorded by the complainant Vijay Kumar on 31.05.2024 alleging therein that on the same day at about 9:30 AM, he was standing outside his cycle repair shop, when two youths reached on the main road on a motorcycle. They snatched

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something from a passerby, who had raised alarm. On hearing so, the complainant tried to stop the snatchers. They hit him with their motorcycle due to which he fell down. The motorcycle rider took out a datar from his waistband and tried to hit him on his head. Both of them were apprehended by the public persons and one of them was the present petitioner. The snatched mobile phone was recovered from them. After registration of FIR, investigation proceedings were initiated. The petitioner was formally arrested on the same day. Investigation stands completed and challan had been presented against him.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He does not have any criminal antecedents. He is in custody since 31.05.2024. The complainant had executed a compromise Annexure P-2 and has sworn an affidavit in his favour. The trial is likely to take time. Therefore, it is urged that he deserves to be released on bail.

4. Learned Assistant Advocate General, Punjab who has advance notice of the petition, has argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail and hence the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record.

6. The petitioner is in custody since 31.05.2024. Trial is likely to take time. He does not have any criminal antecedents. Keeping in view the period of his incarceration, the nature of the allegations as levelled against

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him and the attendant facts and circumstances but without meaning to make any comment on the merits of the case, this Court is 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.

09.12.2024
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(MANISHA BATRA)
JUDGE

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