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

**CRM-M No.343 of 2025
Date of decision : 24.07.2025**

Bhag Singh @ Bhagu**.....Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ***********

Present :- Ms. Dolli Sharma, Advocate and
Mr. Sahil Gupta, Advocate
for the petitioner.

Ms. Simran Gorla, Asstt. A.G., Punjab.

**********RAJESH BHARDWAJ, J. (Oral)**

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.42, dated 06.04.2024, under Sections 379-B(2), 148 & 149 of IPC, 1860 (Sections 411 and 201 of IPC added later on), registered at Police Station Ranjit Avenue (wrongly mentioned as Sultanwind in impugned order), District Amritsar. Further prayer has been made that the petitioner may kindly be released from the custody during the pendency of the present petition.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Rahul. It was alleged that on 04.04.2024 at around 11.00 P.M., he was walking at the ground block near Ranjit Avenue, Amritsar and in the meantime, 6



unknown young boys came on 02 motorcycles. They started beating him with *datar*, due to which he fell down. They forcibly snatched his mobile Phone Brand Redmi. It was alleged that he could identify them, if brought before him. The request was made to take legal action against the accused persons. On registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner was surfaced and thus, he was arrayed as an accused in the present case. The petitioner was arrested on 24.06.2024. The petitioner approached the Court of learned Additional Sessions Judge, Amritsar praying for the grant of bail. However, after hearing both the sides finding no merit in the same, the learned Additional Sessions Judge, Amritsar declined the petition filed by the petitioner vide order dated 26.09.2024. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. She has submitted that the petitioner has been implicated in this case on the basis of disclosure statement of co-accused, which is not an admissible evidence. She has submitted that the petitioner is behind bars since the date of his arrest, i.e. 24.06.2024. She has submitted that the prosecution is not in a position to produce the complainant, as he is not traceable. She has submitted that the petitioner was falsely implicated in one more case bearing FIR No.62, dated 01.06.2024, under Sections 379-B(2) & 411 of IPC, however he is on bail in that case. She has submitted that the investigation is complete and the charges are framed and thus, in the facts



and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned counsel for the State however has opposed the submissions made by counsel for the petitioner. She, on instructions, has submitted that the petitioner along with the co-accused had committed a heinous offence. She has submitted that in all there are 08 accused, out of which 05 are on bail. She, on instructions, has submitted that as the complainant belongs to Nepal and as per the information, he has left the country and thus he is not available for his examination before the learned trial Court. She has submitted that out of 19 prosecution witnesses, no witness has been examined till date. She has produced custody certificate of the petitioner dated 23.07.2025 today in the Court and the same is taken on record.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner in the present case has been arrayed as an accused on the basis of disclosure statement of co-accused. The complainant, as submitted before this Court, has left the Country and went to Nepal. Custody certificate produced by the learned State counsel would show that the petitioner has completed incarceration of 01 year and 28 days as on 23.07.2025. The petitioner is involved in one more case, however he is on bail in the same.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

8. This Court would refrain itself from commenting anything on



the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case. However, if the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in this case.

24.07.2025
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(RAJESH BHARDWAJ)
JUDGE

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