

107

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2087-2025

Date of Decision:29.01.2025

VIJAY KUMAR

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Satvir Singh, Advocate
for the petitioner.

KARAMJIT SINGH, J.

CRM-2899-2025

For the reasons given in the application, the same is allowed
and the main case is taken on board today itself.

CRM-M-2087-2025

Prayer in the present petition under Section 483 of BNSS,
2023 is for grant of regular bail to the petitioner in case having FIR
No.176 dated 04.11.2024 registered for the offences punishable under
Sections 303(2), 317(4) of BNS, 2023 (Section 317(2) and 238 of BNS,
2023 added later on) at Police Station Dirba, District Sangrur.

2. The allegations in nutshell are that Dilpreet Singh @ Preet
and one Lallu committed theft of large quantity of paddy bags belonging



to government from the area of grain market, Dirba and thereafter they used to sell the same to the present petitioner, who is a commission agent. During investigation, the petitioner was arrested and recovery of ten paddy bags is stated to be effected at his instance.

3. Counsel appearing on behalf of petitioner submits that petitioner is falsely implicated in the present case and is incarcerated for the last 2 months and 23 days and is having no criminal history and further the main accused Dilpreet Singh @ Preet is already given concession of regular bail by Coordinate Bench of this Court vide order dated 09.01.2025 (Annexure P-2). It is further submitted that on completion of investigation, challan has been presented but charges are still to be framed and even thereafter it will take considerable time for final disposal of the trial. In the given circumstance, no purpose is going to be served by prolonging the judicial custody of the petitioner.

4. Notice of motion.

5. Mr. Jasjeet Singh Dhaliwal, AAG, Punjab accepts notice on behalf of the State and while resisting the present petition submits that petitioner used to purchase stolen paddy bags from Dilpreet Singh @ Preet and Lallu, having full knowledge that the same were stolen by the aforesaid two persons from the area of grain market, Dirba. It is further submitted that during investigation, the petitioner was arrested and he got recovered ten stolen paddy bags and is presently lodged in judicial

custody and on culmination of investigation, challan stands presented but trial will commence only after the framing of charges. However, the State counsel has not disputed the fact that petitioner is having no criminal antecedents and co-accused Dilpreet Singh @ Preet is already given concession of regular bail vide order dated 09.01.2025 (Annexure P-2) by the Coordinate Bench of this Court.

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

7. Admittedly, the recovery in this case is already effected and petitioner is incarcerated for the last 2 months and 23 days and is presently lodged in judicial custody and further he is not involved in any other criminal case and it will take time for the trial to terminate. In the given circumstances, no fruitful purpose is going to be served by keeping the petitioner in custody for any longer period.

8. 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.

29.01.2025

Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

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