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(213)

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

CRM-M-2665-2025

Date of Decision: 11.08.2025

ROHIT @ ROHI**... Petitioner****Versus****STATE OF PUNJAB****...Respondent****CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. Piyush Sharma, Advocate
for the petitioner.

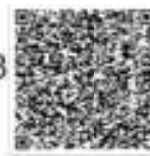
Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.76 dated 24.08.2024 registered under Sections 310(4), 310(5) BNS, 2023 (Section 317(2) BNS, 2023 is added later on) at Police Station Mamdot District Ferozepur.

2. The present FIR came to be registered on the basis of a secret information and the same reads as under:-

"Station House Officer, police station Mamdot. "Sat Sri Akal" today, I ASI along with ASI Partap Singh No. 366/Ferozepur, HC Balwinder Singh No. 1559/Ferozepur, Senior Constable Harkirat Singh No. 1298/Ferozepur, Senior Constable Gurvinder Singh No. 271/Ferozepur, PHG Gurmeet Singh No. 6233, PHG Sandeep Singh No. 22759, PHG Jagseer Singh No. 6000 is on government vehicle Balero number PB 05 AB 0868 which is being driven by Senior Constable Satnam Singh No. 385/Ferozepur along with laptop and printer left for regarding patrolling and checking of



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suspicious persons within the area police station Sadar Ferozepur, police station Mamdot etc. when while patrolling the police party arrived near T-Point, Mamdot on Ferozepur Fazilka road then the secret informant signalled with his hand and made us to stop the vehicle and supplied information to me ASI that Rohit alias Rohi son of Gulab, Karan son of Tarsem, Sandeep Singh alias Chippy son of Baldev Singh residents of Narang Ke Leli police station Sadar Ferozepur, Karan alias Ninja son of Sukha resident of Icche Wala police station Sadar Ferozepur and Samarpreet Singh alias Sunny son of Sukhwinder Singh resident of House No. 109 Church Road Ferozepur Cantt are indulged in committing dacoities within the area of Ferozepur in connivance to each other. Today also, all the above said persons duly armed with deadly weapons on 3 motorcycles are present at cremation ground Waryam Singh Wala, Mamdot Road and today they all have made a plan to commit dacoity on some petrol pump situated at Ferozepur Fazilka Road. If an immediate raid is conducted and all of them are represented then deadly weapons could be recovered from them and they can be stopped from executed the plan to commit dacoity. The said information is reliable and trustworthy. The act of the above said accused persons fullfils the contents of offence under section 310 (4), 310 (5) Bharatiya Naya Sanhita, 2023. Therefore a ruqa against the above said Rohit alias Rohi, Karan son of Tarsem, Sandeep Singh alias Chippy, Karan alias Ninja and Samarpreet Singh alias Sunny is sent to police station through PHG Jagseer Singh No. 6000 for registration of FIR for offence under section 310 (4), 310 (5) Bharatiya Naya Sanhita, 2023. Case number be supplied after registration of the same. Special reports be issued. PCR be informed. I ASI along with other policemen is proceeding towards the spot disclosed by the secret informant. SD/- Sahib Singh, ASI, CIA Staff Ferozepur dated 24/08/2024.”

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3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. Pursuant to his arrest, only a baseball bat has been recovered from his possession. The recoveries of motorcycles and mobile phones have been effected from the co-accused. As the petitioner is in custody since 24.08.2024 but none of the 18 prosecution witnesses have been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. The learned counsel for the State, on the other hand, contends that serious allegations have been levelled against the petitioner and his co-accused. The petitioner was apprehended with a baseball bat whereas the co-accused apprehended with stolen articles. Therefore, he is not entitled to the concession of bail. He, however, concedes that the petitioner is in custody since 24.08.2024 and that none of the 18 prosecution witnesses have been examined so far.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is in custody since 24.08.2024 and that none of the 18 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.

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7. Thus without commenting on the merits of the case, the present petition is allowed and petitioner-Rohit @ Rohi S/o Gulab is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the present case.

9. In addition the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.25,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

11.08.2025

JITESH

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