

disclosure statement about the complicity of the petitioner and thus, the petitioner was arrayed as an accused and arrested on 02.04.2023. The petitioner approached the Court of learned Additional Sessions Judge, Ludhiana praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 31.07.2024. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition.

3. It has been contended by learned counsel for the petitioner that the petitioner has been roped in the present case on the basis of the disclosure statement, which is not admissible as an evidence. He further submits that neither petitioner is named in the FIR nor any overt act has been attributed to him. He submits that recovery has been planted upon the petitioner. He further submits that the petitioner is behind bars since the date of his arrest i.e. 02.04.2023. He submits that petitioner has been falsely implicated in multiple cases, however, in majority of the cases, he has been acquitted and in one case he is not on bail. It is submitted that the petitioner has completed incarceration of 02 years, 03 months and 25 days. He, thus, submits that in view of the facts and circumstances of the case, the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. She has submitted that petitioner is a habitual offender and his complicity was established during the investigation. She further submits in pursuance to his disclosure statement two stolen vehicles i.e. one Activa and one motorcycle were recovered from him. She has produced the custody certificate of the petitioner and submits that petitioner is involved in 11 other cases. On instructions, she submits that out of total 16 prosecution witnesses, 06 witnesses have been examined.

5. After hearing counsel for the parties and perusing the record, it is

deciphered that the petitioner was arrayed as an accused in the present case on the basis of the disclosure statement of the co-accused. The custody certificate would reflect that the petitioner has suffered incarceration of 2 years, 03 months & 25 days as on 30.07.2025. It further reflects that the petitioner is involved in 11 other cases, however, in 08 cases he has been acquitted and in one case he has undergone the sentence. Out of total 16 prosecution witnesses, 06 witness has been examined till date.

6. 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. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Thus, keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. However, if the petitioner does not furnish the bail bonds within 07 days from today, then his further custody period after one week will not be counted in this case.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

31.07.2025

Parveen kumar

(RAJESH BHARDWAJ)
JUDGE

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