

2025:PHHC:093956



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

CRM-M-9215-2025

Date of Decision: 28.07.2025

Rahul

... Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Vikram Bhaskar, Advocate
for the petitioner.

Ms. Simran Gorla, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present second petition praying for granting regular bail in case FIR No.42 dated 06.04.2024 under Sections 379-B(2)/148/149 of IPC, 1860 (Sections 201/411 of IPC were added later on) registered at Police Station Ranjit Avenue, District Police Commissionerate Amritsar.

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 18.04.2024. 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 24.10.2024. Thereafter, he approached this Court by way of filing CRM-M-56845-2024, which was dismissed as withdrawn on 20.11.2024 (Annexure P-3). 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, at the outset, prays for the grant of bail to the petitioner on the basis of parity with that of the co-accused, namely, Bhag Singh @ Bhagu. He has drawn the attention of this Court to the order dated 24.07.2025 passed in **CRM-M-343-2025**, whereby, co-accused Bhag Singh @ Bhagu has been granted regular bail by this Court. He has submitted that the case of the petitioner is at par with the said co-accused. He submits that the petitioner is in custody since 18.04.2024. He submits that the petitioner has no criminal antecedents. He submits that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar to that of the said co-accused, who has already been granted bail.

4. Learned State counsel has endorsed the factum of grant of bail to the co-accused of the petitioner as stated above and has not denied that the

petitioner is at par with the co-accused, namely, Bhag Singh @ Bhagu. He has submitted that out of total 19 prosecution witnesses, none of the witnesses has been examined. She has placed on record the custody certificate of the petitioner.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 18.04.2024 Co-accused, namely, Bhag Singh @ Bhagu is on bail and the case of the petitioner as stated is at par with him. Out of total 19 prosecution witnesses, none of witnesses have been examined. As per custody certificate, the petitioner has suffered incarceration of 01 year, 03 months & 03 days as on 25.07.2025. It further reflects that the petitioner is not involved in any other case.

6. This Court would refrain itself from commenting anything on the merits of the case. 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 on the basis of parity. 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.

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

28.07.2025

Parveen Kumar

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No