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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-20095-2024
Date of decision:-07.01.2025

AMARDEEP SINGH ALIAS BHOLU

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Shrey Goyal, Advocate, for the petitioner.
Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J.(ORAL)

Learned State counsel has filed custody certificate dated 06.01.2025, the same is taken on record, copy thereof, has been supplied to the counsel opposite.

2. The instant petition has been preferred by the petitioner under Section 439 of the Criminal Procedure Code, for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
191	28.12.2023	379B(2) IPC	Model Town, Police Commissionerate Ludhiana

3. Arguments heard.

4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that petitioner is in custody since 01.01.2024 and has been falsely



implicated in this case on the allegations that he alongwith co-accused snatched mobile phones from the complainant, which later on, was recovered from the petitioner. He contends that although the petitioner was involved in one more criminal case but has since been acquitted in the same. He contends that after completion of investigation, challan has already been presented in Court and it will take sufficient long time for trial to conclude. Hence he prays for grant of regular bail to the petitioner.

5. *On the other hand*, learned State counsel referring to the reply submitted by the State has opposed the bail petition by arguing that 12 mobile phones were recovered on the disclosure statement of the petitioner as such he is not entitled for concession of bail. However, he has admitted that after completion of investigation, challan has already been presented in Court wherein prosecution has cited 12 witnesses and till date none of them have been examined.

6. After considering the rival contentions and perusing the record, it transpires that the instant FIR was registered on the allegations that petitioner and co-accused had snatched mobile phone from the complainant. Petitioner is in custody since 01.01.02024, after completion of investigation, challan has already been presented in Court, wherein prosecution has cited 12 witnesses and till date none of them have been examined. The conclusion of trial to ascertain criminal liability, if any, of the petitioner in the present case will take sufficient long time.

7. In these circumstances, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner



behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

07.01.2025
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |