

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-29419-2024 (O&M)
Date of Decision:- 20.02.2025

DHARMENDRA ALIAS DHARMINDER

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Barjinder Singh, Advocate for the petitioner.
Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
163	19.08.2022	379-B, 120-B, 212, 411, 465, 467, 468, 471, 414, 201 of IPC	City Sangrur, District Sangrur

2. 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 the petitioner has been implicated on the disclosure statement of co-accused Manoj. He further contends that after the arrest of the petitioner, allegedly one gold chain has been recovered from him. He

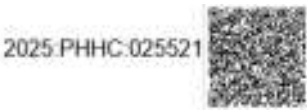


submits that the petitioner is in custody since 15.10.2022 and after the completion of investigation, challan has been presented in Court and no witness has been examined till date and the conclusion of trial will take sufficient long time. Thus, prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the reply filed by the State has opposed the petition on the ground that the petitioner along with his accomplices used to snatch gold ornaments from ladies and old people, therefore, he does not deserve the concession of bail. He has, however, admitted that challan has been presented in Court and the prosecution has cited 28 witnesses but none has been examined till date.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that as per the case of prosecution a secret information was received that a gang of 7-8 persons have formed a gang for snatching gold ornaments from ladies and old people. Accordingly, co-accused Anil Kumar was apprehended by the Police and recovery of stolen articles was effected from him. Later on, co-accused Manoj was arrested by the police and during his interrogation, he disclosed that he along with the petitioner and other co-accused had been snatching gold ornaments. Consequent upon the arrest of the petitioner on 15.10.2022, a gold chain has been recovered from him. Admittedly, after the completion of investigation, challan has been presented in Court, wherein the prosecution has cited 28 witnesses, however, none has been examined till date. In these circumstances, the conclusion of trial to



ascertain the criminal liability, if any, of the petitioner, will take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate 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.

7. It is further made clear that in case the petitioner is found involved in any such crime, after his release on bail, it will be open for the prosecution to move an application for cancellation of his bail in accordance with law.

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

9. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

20.02.2025
S.Sharma(syr)

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