

2025:PHHC:085283



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

308

CRM-M No.30375 of 2025
Date of Decision: 15.07.2025

Sukhdev Singh @ Pintu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Kushagra Mahajan, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
121	23.07.2022	Majitha, District Amritsar Rural	379-B, 506 and 34 of IPC (201 of IPC added later on)

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was lodged on the basis of statement recorded by the complainant Rishi Raj alleging that he was working as a machine operator in NHI Company which was involved in surveying of roads and bridge lines from Batala to Corridor Dera Baba

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Nanak. On the night of 19.07.2022, he along with his colleagues Anshul and Aman Bansal had reached at Amritsar Bus Stand from Madhya Pradesh for the purpose of his work. They had boarded an auto rickshaw for going to Batala. There was one more occupant of the vehicle apart from the driver. The complainant found that the auto driver was not taking the vehicle to the destination and had taken a wrong turn. He questioned the driver who told him that he needed to stop for easing himself. He stopped the vehicle in a deserted area near a canal. Thereafter, the auto driver and another occupant of the vehicle took out iron rods and hockey sticks and by showing those weapons, they assaulted Aman Bansal and snatched their mobile phones and other belongings. They also assaulted him and thereafter fled from the spot. After registration of FIR, investigation proceedings were initiated. It was revealed that the vehicle used in commission of subject offences was owned by accused Harjeet Singh and the present petitioner was another occupant of the vehicle. The vehicle was recovered. The petitioner was arrested on 24.09.2024. He suffered disclosure statement admitting his involvement in the crime. The co-accused was also apprehended. Offence under Section 201 of IPC was added. The petitioner along with the co-accused Harjeet singh is now facing trial for commissions of offences punishable under Sections 379-B(2) and 506 of IPC and Section 238 of of Bharatiya Nyaya Sanhita (For short 'BNS').

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. He is in

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custody since 24.09.2024. There is delay of three days in lodging of the FIR which has not been explained. He has permanent abode. There are no chances of his absconding. The co-accused is on bail. On parity, he deserves to be given the same benefit. It is, therefore, argued that he deserves to be released on bail.

4. Learned Assistant Advocate General, Punjab has vehemently argued that the petitioner is a habitual offender since one more case of similar nature is pending against him. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. It is, therefore, argued that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6 The petitioner along with the co-accused is alleged to have snatched the belongings of the complainant and his companions on 19.07.2022 and escaped with the same. He is in custody since 24.09.2024. Trial has commenced but is likely to take time since not even a single witness has been examined so far. The co-accused has been granted benefit of bail and on parity, he also deserves to be granted the same. The involvement of the petitioner in one more case cannot be considered to be a ground for denying benefit of bail to him. In the considered opinion of this Court, no useful purpose would be served by retaining the petitioner in custody anymore. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

7. It is, however, clarified that the observations made hereinabove

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shall not be construed as an expression of opinion on the merits of the case.

15.07.2025
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(MANISHA BATRA)
JUDGE

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