



(i) **CRM-M-31407-2025**
Date of Decision:06.08.2025

State of U.T Chandigarh ...Respondent

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Mr. Manish Bansal, P.P, U.T., Chandigarh with
Mr. Navjit Singh, Advocate.

N.S.Shekhawat J. (Oral)

1. This order shall dispose of two bail petitions i.e. CRM-M-31407-2025, titled as “*Jasmeet Singh @ Sharry Vs. State of U.T Chandigarh*”and CRM-M-36890-2025, titled as “*Varinder Singh Vs. State of U.T., Chandigarh*”, whereby the petitioners have prayed for grant of concession of regular bail to them in a case arising out of FIR No.129, dated 26.11.2024, under Sections 309, 3(5),317 (2), 310(2) of B.N.S, registered at Police Station Sector-26, District Chandigarh.

2. The FIR was initially registered on the basis of the statement made by Smt. Raksha Sharma wife of late Sh. Rameshwar Dass and the same has been reproduced below:-

“Statement of Smt. Raksha Sharma wife of Lt. Rameshwar Dass Sharma R/o SCF No.1, Sector 27 C, Chandigarh, age-82 years, Mob-7696621851. Stated that I am residing at above mentioned address and doing the business in the name of M/s Imperial Tyres at SCF No. 1, Sector 27 C, Chandigarh. I reside alone at my home. Yesterday dated 25.11.2024 after having dinner, at about 8:15 PM I slept in my room. I kept waking up in the middle of the night and reciting. At about 3:45 AM dated 26.11.2024, 4 young persons of sudden forcefully entered into my room and wrapped me in a blanket and asked for keys of home and Almirah and in the fear I gave them keys of Almirah and I remained on the bed. All of them 4 persons were doing conversation in Hindi. About an hour later, I got up from the bed and I saw that 4 persons have already left. I went to other room and I saw that they have committal theft of Jewellery and cash which was lying under bed and Almirah. In Jewellery it was Bangles, earing Topus, Bracelets and other items, two mobile phones make Samsung Korea SMJ-200G/DD and second mobile phone Samsung SMB 310E having Sim No. 8360101477 and 7696621851 and also took Rs.37000/- cash from my purse. Strict Legal action should be taken against 4 persons as they connived with each other and committed crime. I can identify them if they can produce before me. Action should be taken. Statement has been written which is correct. Sd/- Raksha Sharma attested by Baljit Singh SI PS-26, Chandigarh dated 26.11.2024”.

3. Learned counsel for the petitioners have vehemently argued that in the present case both the petitioners were not named initially and were involved later on, only on the basis of suspicion. It has been alleged that the arrests were

made on a secret information and it clearly shows that there was no legally admissible evidence against them. The petitioners were arrested in the present case on 29.11.2024 and are in custody for the last more than eight months. They next contends that both the petitioners were not involved in any other case in the past. Further, in the present case(s), 14 witnesses have been examined by the prosecution and even the testimony of complainant has been recorded. Now, only official witnesses are left to be examined by the Trial Court. Thus, the petitioners will not be in a position to influence such witnesses.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioners on the ground that serious allegations have been levelled against the petitioners and they do not deserve the concession of bail.

5. I have heard the learned counsel for the parties and perused the record.

6. In the present case, the petitioners are in custody for the last about eight months and recoveries have already been effected in the present case. Even, the statement of complainant has been examined before the Trial Court and all other material witnesses have also been recorded by the Trial Court. Moreover, the petitioners are first offenders and were never involved in other criminal case.

7. Without commenting on the merits of the case, the petition(s) is allowed. The petitioner(s) are ordered to be released on bail pending trial on their furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

(N.S.SHEKHAWAT)
JUDGE

06.08.2025
hitesh

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