



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

252

CRM-M-38180-2024 (O&M)
Date of Decision:- 15.05.2025

HARIOM

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Manoj R. Sharma, Advocate for the petitioner.

Mr. K.D. Sachdeva, 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
122	12.11.2023	341, 379-B, 120-B, 34 IPC; 25 of the Arms Act	Sadar Gurdaspur, District Gurdaspur

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 petitioner has no concern with the allegations levelled in the FIR and no recovery of any snatched article has been effected from the petitioner. He submits that the petitioner is in custody since 14.11.2023 and after the completion of investigation, challan has been presented in Court



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 had snatched the scooty and mobile phone of the complainant and recovery of pistol along with one magazine has been effected from the petitioner.

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

5. After considering the rival contentions and perusing the record, it transpires that the instant FIR was registered on the allegation that 6/7 persons including the petitioner had snatched the scooty from a girl by placing a pistol on her head when she was accompanied by her younger brother aged 12/13 years. One mobile phone was also got stolen along with the said scooty, which was kept in the boot of the scooty. During the course of investigation, the petitioner was arrested on 14.11.2023 and recovery of one pistol along with magazine had been effected from him. The recovery of alleged snatched articles have been effected from the co-accused Rampal and Roshan Lal and no recovery of any snatched articles has been effected from the petitioner after his arrest. After the completion of investigation, challan has been presented in Court, wherein the prosecution has cited 15 witnesses, however, none has been examined till date. The criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may 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. Any observation made above shall not be construed as opinion of this Court on the merits of the case.
8. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

15.05.2025
S.Sharma(syr)

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