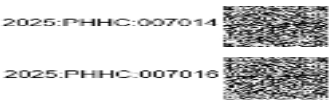


CRM-M-41394-2024
CRM-M-58310-2024

-1-



218/221

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Date of decision:-17.01.2025

1. CRM-M-41394-2024

AMRIT KUMAR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

2. CRM-M-58310-2024

NARINDER SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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

Present:- Mr. Jitender Singh Dadwal, Advocate
for the petitioner in CRM-M-41394-2024.

Mr. Gurcharan Das , Advocate
for the petitioner in CRM-M-58310-2024.

Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J.(ORAL)

Both the bail petitions arising out of the same FIR are taken up
together for disposal.

2. The instant petitions have been preferred by the petitioners
under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (B.N.S.S)2023
for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
0095	10.04.2024	379(B(2), 34 IPC	Sahnawal, District Ludhiana

3. Arguments heard.
4. It is *inter alia* contended by learned counsel for the petitioners that the petitioners are innocent, and have been falsely implicated in this case and they are in custody since 13.04.2024 and after completion of investigation challan has already been presented in Court. They contend that no recovery has been effected from the petitioner Amrit Kumar, however iron dah has been recovered from petitioner Narinder Singh but no injury alleged to have been caused by the petitioners. They contend that the conclusion of trial will take sufficient long time, hence prayed for grant of bail to the petitioners.
5. *Per contra*, learned State counsel referring to the reply submitted by the State has assailed these arguments and prayed for dismissal of the bail petitions on account of gravity of offences. However he admits that no injury was caused in the occurrence and after completion of investigation challan has already been presented in Court and prosecution has cited 13 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 on 09.04.2024 the complainant was going to his house on motorcycle and on the way he was stopped by two persons and one of them put him under fear by showing ‘dah’ and took away ₹12,000/- from his pocket and on raising hue and cry being raised, the assailants ran away from the spot. Subsequently, the

petitioners were arrested on 13.04.2024, after completion of investigation, challan has already been presented in Court wherein prosecution has cited 13 witnesses and till date none of them have been examined. Since the investigation has already been concluded, the petitioners are no more required for further investigation and are in judicial custody since 13.04.2024. The conclusion of trial 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 petitioners behind bars. Therefore, both the present petitions are allowed. The petitioners are 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 county 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.

9. Photo-copy of this order be placed on the connected file.

(SANJIV BERRY)
JUDGE

17.01.2025
Gyan

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