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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-48686-2024 (O&M)
Date of Decision:- 06.05.2025

PREM KUMAR

Versus

....Petitioner(s)

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Gagandeep Singh and Ms. Shabnam Mahajan, Advocates
for Mr. Shrey Goel, Advocate for the petitioner.

Mr. Iqbalpreet Singh, AAG 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
95	10.04.2024	379-B(2) and 34 IPC	Sahnawal, Ludhiana, Punjab

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 recovery of one mobile phone has been effected from the petitioner but no injury alleged to have been caused by him. He submits that the petitioner is in custody since 10.04.2024 and after completion of



investigation, challan has been presented in Court and no witness has been examined by learned trial 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 short reply filed by the State has assailed these arguments, however, he has not disputed the fact that after the completion of investigation, challan has been presented in Court and no witness has been examined till date out of 13 witnesses cited by the prosecution.

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 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. On raising hue and cry, the assailants ran away from the spot. Subsequently, the petitioner was arrested on 10.04.2024, after completion of investigation, challan was presented in Court, wherein prosecution has cited 13 witnesses and till date none of them have yet been examined. Since the investigation has already been concluded, the petitioner is no more required for further investigation, 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

06.05.2025
S.Sharma(syr)

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