



**CRM-M-48681-2024 and
CRM-M-39462-2024**

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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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Date of decision: 23rd January, 2025

1. CRM-M-48681-2024

Karandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

2. CRM-M-39462-2024

Harpreet Singh @ Happy

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. S.S. Gill, Advocate for the petitioner.
(in CRM-M-48681-2024)

Mr. Gursimran S. Bawa, Advocate and
Mr. Vikrant K. Viji, Advocate for the petitioner.
(in CRM-M-39462-2024)

Ms. Sakshi Bakshi, Deputy Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

This common order shall dispose of the above mentioned two petitions which have arisen out of FIR No. 49 dated 04.04.2024 registered under Sections 379-B(2) read with Section 34 of IPC (Sections 473, 201 and 411 of IPC added later on) at Police Station Kamboj, District Amritsar Rural.



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2. Brief facts of the case relevant for the purpose of disposal of these petitions are that the aforementioned FIR had been registered on the basis of statement recorded by complainant-Bhuma Shankar Parsad, making allegations that on the evening of 02.04.2024, two unknown youths riding on a motor bike bearing registration No. PB-02-EB-9849 had intercepted him outside the gate of his work place. They were armed with sharp edged weapons and while pointing out the same upon him and extending threats, they had snatched a sum of Rs. 500/- kept in his pocket as well as his motor bike and then escaped. He further disclosed the names of those snatchers as Karandeep Singh and Harpreet Singh i.e. the petitioners. After registration of FIR, investigation proceedings were initiated. The petitioner-Harpreet Singh was arrested on 02.04.2024 whereas, petitioner-Karandeep Singh was arrested on 04.04.2024. The snatched bike was recovered at their instance. Investigation has since been completed.

3. The present petitions have been filed by the petitioners on the grounds and it is argued by their counsel that they have been falsely implicated in this case. There is inordinate delay of two days in reporting the matter to the police which has not been explained. A false recovery has been planted upon them. Investigation stands concluded. Trial is likely to take time. They do not have any criminal antecedents. They have permanent abodes and there are no chances of their absconding. As such, it is urged that they deserve to be released on bail.

4. *Per contra*, learned Deputy Advocate General, Punjab has submitted that there are serious allegations against the petitioner and it is urged that keeping in view the gravity of the offences committing by them,



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they do not deserve to be released on bail.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioners are in custody since 02.04.2024 and 04.04.2024 respectively. Investigation has since been completed. Trial will take time. The petitioners do not have any criminal antecedents. No useful purpose would be served by keeping them in custody anymore. It is well settled proposition of law that bail is the rule and jail is an exception. In view of the discussion so made, I am of the considered opinion that the petitions deserve to be allowed. Accordingly, the same are allowed and the petitioners are ordered to be released on bail subject to their furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petitions have been allowed, pending application, if any, are rendered infructuous.

9. Photocopy of this order be placed on the file of connected case.

[MANISHA BATRA]
JUDGE

23rd January, 2025
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |