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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51508-2024(O&M)

Date of Decision:03.02.2025

DEEPAK KUMAR ALIAS DEEPU ALIAS PALI

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Ms. Prachi Gupta, Advocate
for the applicant/petitioner.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab.

KARAMJIT SINGH, J.

CRM-4441-2025

For the reasons given in the application coupled with no objection pleaded on behalf of the State counsel, the present application is allowed and document Annexure P-5 i.e. statement of PW-1 complainant Seema recorded by the trial Court is permitted to be taken on record subject to all just exceptions.

CRM-M-51508-2024

Prayer in the present petition under Section 483 of BNSS, 2023 is for grant of regular bail to the petitioner in case having FIR No.106 dated 30.05.2024 registered for the offences punishable under



Sections 379-B(2), 411 of IPC at Police Station City-2, Khanna, District Ludhiana.

2. The allegations in nutshell are that the petitioner and his accomplice snatched mobile phone belonging to complainant Seema. During investigation the petitioner was arrested and one iron rod was recovered at his instance by the police.

3. Counsel appearing on behalf of petitioner *inter alia* submits that the petitioner is falsely named in the FIR and otherwise also the petitioner is incarcerated for the last more than 8 months and is not facing any other criminal case. It is further submitted that key witness namely Seema is already examined but it will take considerable time for the trial to conclude. Further detention of the petitioner in judicial custody is not going to serve any purpose. So, prayer is made that petitioner be enlarged on regular bail.

4. The present petition is resisted by the State counsel, who submits that the petitioner was specifically named in the FIR and was apprehended just after he committed the snatching of mobile phone. However, the State counsel has not disputed the fact that petitioner is behind the bars for the last more than 8 months and complainant has been examined and recovery of snatched mobile phone was effected from the accomplice of the petitioner and that seven more witnesses remain to be examined on behalf of the prosecution.

5. I have considered the submissions made by the counsel for the parties.
6. The recovery of the snatched mobile phone is already effected from co-accused and the petitioner is in custody for the last more than 8 months. The material witness namely complainant Seema is examined and thus there is no apprehension that in case the petitioner is released on bail he is going to influence the star witness of the prosecution. Admittedly, it will take time for the trial to terminate. In the given circumstances as the petitioner is not facing any criminal case, no gainful purpose is going to be served by keeping the petitioner in custody for any longer period.
7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

03.02.2025

Priyanka Thakur

Whether speaking/reasoned

Whether reportable

(KARAMJIT SINGH)

JUDGE

Yes/No

Yes/No