



207

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

**CRM-M No.53466 of 2024  
Date of decision : 16.05.2025**

**Amarjit Singh @ Pathar**

**.....Petitioner**

**versus**

**State of Punjab**

**..... Respondent**

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

**\*\*\*\*\***

Present :- Mr. Lakshay Bector, Advocate  
for the petitioner.

Mr. Raj Karan Singh, Asstt. A.G., Punjab.

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**RAJESH BHARDWAJ, J. (Oral)**

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.60, dated 23.03.2024 (Annexure P-1), under Section 379 of IPC (Sections 411, 413, 414 of IPC added later on), registered at Police Station Samrala, District Ludhiana.
2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of Forest Guard and Block Officer wherein it was alleged that Government trees have found to have been stolen from Chava Samrala road. It was found that the same has been done by Amarjit Singh @ Pathar (petitioner) and thus the request was made to take the legal action against the accused. On registration of the FIR, the investigation commenced. The petitioner was arrested on 23.05.2024.



During the investigation, on his disclosure, 02 more persons were found to be involved and they were also nominated as accused in the present case and thus, in total 03 accused were found to be involved in the present case. The petitioner approached the Court of learned Additional Sessions Judge, Ludhiana praying for the grant of bail. However, after hearing both the sides finding no merit in the same, the learned Additional Sessions Judge, Ludhiana declined the petition filed by the petitioner vide order dated 04.05.2024. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He has submitted that there is no direct evidence to connect the petitioner with the alleged offence. He has submitted that the petitioner was falsely implicated in two more FIR's, however he has been released on bail in both the cases. He has submitted that the investigation in the present case is complete and the charges are framed, however the prosecution witnesses are intentionally avoiding their appearance before the learned trial Court only in order to prolong the trial. He has submitted that out of 03 accused, rest of 02 accused are already on bail. He has submitted that the petitioner is behind bars since the date of his arrest, i.e. 23.03.2024. He has submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned counsel for the State however has opposed the submissions made by counsel for the petitioner. He, on instructions, has submitted that the petitioner is a habitual offender. He has



submitted that the petitioner has committed 03 more offences of the similar nature. He further, on instructions has submitted that rest of the co-accused are already on bail. He has placed on record custody certificate of the petitioner. He has apprised the Court that in all there are 11 prosecution witnesses, however only 03 have been partially examined so far.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner was accused for the offences under Sections 379, 411, 413, 414 of IPC and he is behind bars from the date of his arrest, i.e. 23.03.2024. Rest of the co-accused have already been granted bail. Though the petitioner is involved in 02 other cases, however he is on bail in both the cases. Custody certificate further shows that the petitioner has suffered incarceration of 01 year, 01 month and 19 days as on 15.05.2025.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

8. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said



herein shall be treated as an expression of opinion on the merits of the case.

16.05.2025

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Whether speaking/reasoned

Whether reportable

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Yes/No

Yes/No

(RAJESH BHARDWAJ)

JUDGE