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

CRM-M-53486-2024**Date of Decision: 25.02.2025**

Krishan Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Ms. Lovenish Kaur, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail in case FIR No.33 dated 21.12.2023 registered under Sections 379(B), 323, 324, 34 of IPC, at Police Station GRP Faridkot, District Faridkot.

2. The FIR in the present case was registered on the basis of the statement made by Rinkesh Meena son of Sh. Rajinder Kumar Meena. As per the complainant, at about 9.00 pm. on 20.12.2023, two persons came on a motorcycle and demanded a match-box from him. When the petitioner was giving match-box, one person caught hold of him and another person snatched his wallet containing Rs.1,500/- from the pocket of his pant. They also snatched one gold ring and one silver chain from him. When resisted, the complainant was beaten by the accused as a result of which, he had received two injuries.



3. Learned counsel for the petitioner contends that the petitioner was not initially named in the FIR and has been nominated as an accused without any incriminating evidence. Even at the time of his arrest, no identification parade was conducted and the petitioner has been involved in a serious crime without any evidence against him. She further contends that the petitioner was arrested in the present case on 25.12.2023 and is in custody for the last 01 year and 02 months. The challan has already been presented before the Court and no witness has been examined so far.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is involved in one more case of similar nature and one case under the provisions of NDPS Act.

5. I have heard the learned counsel for the parties and perused the record.

6. In the present case, the injured has already been discharged from the hospital. The petitioner has already undergone 01 year and 02 months of custody and no witness has been examined so far. Even similarly placed co-accused, namely, Hardeep Singh @ Deep has already been granted the concession of bail by this Court vide order dated 27.08.2024 passed in CRM-M-36864-2024 (Annexure P-3).

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty



Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

- (i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.*
- (ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.*
- (iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*
- (iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*
- (v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*
- (vi) In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*
- (vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*

25.02.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No