



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-55671-2024 (O&M)
Date of decision: March 1st, 2025

Ravinder Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sant Pal Singh Sidhu, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

CRM-49283-2024

Prayer in this application is for adding Section 238, 303(2) and 111 of the BNS, 2023 in the head note and prayer clause of the main petitioner.

For the reasons mentioned in the application, the same is allowed.

Registry is directed to add the above Sections in the head note as well as prayer clause of the main petition.

CRM-M-55671-2024

Petitioner is seeking the concession of regular bail in FIR No.119 dated 04.09.2024 under Sections 310(2), 191(3), 190, 111, 303(2), 238 of the BNS, 2023 and Sections 25 and 27 of the Arms Act, registered at Police Station Chatiwind, District Amritsar Rural.

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 10.09.2024. The petitioner was neither named in the FIR in question nor was there any suspicion raised qua his involvement in the alleged loot, which was carried out in the cold store of the complainant. Learned counsel submits that the petitioner came to be nominated as an accused subsequently on the basis of a disclosure statement suffered by co-accused, wherein it was stated that he petitioner was merely a recipient of the stolen property. Learned counsel submits that in the above given facts and circumstances, since disclosure statements do not carry much evidentiary value, coupled with the fact that the investigation is already complete in the present case, the petitioner be enlarged on bail as there is no possibility of the trial concluding in the near future, with as many as 28 prosecution witnesses cited.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has not disputed that the petitioner was not named in the FIR in question and the only role attributed to the petitioner is of having received stolen property, which was allegedly looted from the cold store. Learned State counsel submits that subsequent to the disclosure statement made by co-accused Thana Singh, recovery of some of the stolen goods was made from the petitioner.

4. On a pointed query, learned State counsel has not disputed that the investigation in the present case is complete and challan stands presented.

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

6. The petitioner has been in custody since 10.09.2024; challan stands presented. As many as 28 prosecution witnesses have been cited, therefore, the possibility of the trial concluding in the near future seems unlikely.
7. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.
8. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

March 1st, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No