

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:167809



238

CRM-M-55601-2025 (O&M)
Date of decision:02.12.2025

Amritpal Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ranjodh Singh Sidhu, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to him in case bearing FIR No.219, dated 05.12.2023, registered under Sections 341, 379-B(2), 34, 201 IPC and Sections 25/27 of the Arms Act, at Police Station Lopoke, District Amritsar.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant – Kamal Kumar on 05.12.2023, alleging that he was working as a recovery man at the IndusInd Bank Bharat Finance Inclusions Ltd. Narayangarh. On 27.11.2023, after collecting weekly installments from the loanees from different villages and by carrying an amount of Rs.54,660/-, he was returning towards his village on his motorbike and when he reached within the jurisdiction of village Boparai

Khurd, he was intercepted by two unknown youths, who came riding on a motorbike. They had muffled faces and after assaulting him, they snatched his bag containing the aforementioned amount and thereafter they managed to flee. The complainant alleged that he had made inquiries at his own level and had come to know that the petitioner and the co-accused Avtar Singh were the persons, who had snatched his bag. After registration of the FIR, investigation proceedings were initiated. The petitioner and co-accused, who were in custody in some other case, were joined into investigation of this case on 07.02.2025 and were formally arrested in this case. One country made pistol was recovered at the instance of the present petitioner.

3. Learned counsel for the petitioner has argued that he has been falsely implicated in this case. He is in custody since long. The trial will take considerable time to conclude as no prosecution witness has been examined so far. He is on bail in most of the cases and acquitted in two cases as registered against him. His involvement in other cases cannot be considered to be a reason for denying benefit of bail to him. He has a permanent abode. There are no chances of the petitioner's absconding or intimidating the witnesses. It is, therefore, argued that the petitioner deserves to be extended the benefit of bail.

4. Status report has been filed. Learned State counsel has argued that there are serious and specific allegations against the petitioner. Weapon used in the offence was recovered from the petitioner. Petitioner is a habitual offender. There are chances of his absconding or committing similar offences, if extended benefit of bail. It is, therefore argued that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by learned counsel for the parties.

6. The petitioner along with co-accused is alleged to have committed the offence of snatching. An amount of Rs.54,660/- had been snatched from the petitioner on 27.11.2023. The FIR was registered after a gap of 08 days. The petitioner is in custody since 07.02.2025. The trial will obviously take time to conclude. His continued detention would not serve any useful purpose. It is well settled proposition of law that the bail is the rule and jail is an exception. Pre-trial incarceration of an accused should not be replica of post conviction sentencing. Keeping in view the above facts and circumstances but without meaning to make any comment on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds to the satisfaction of the trial Court/Duty Magistrate/CJM concerned.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

02.12.2025

harjeet

**(MANISHA BATRA)
JUDGE**

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