

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

2025:PHHC:023830



(233)

CRM-M-59793-2024

Date of Decision: 18.02.2025

Sukhbir Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present:- Mr. B.R. Rana, Advocate for petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL.J (Oral)

The petitioner is seeking the concession of regular bail, filed under Section 483 of BNSS, in case FIR No.92, dated 14.07.2024, under Section 303(3) BNSS (later on added sections 317(2), 317(4), 3(5) of BNSS) registered at Police Station, Division No.8, Ludhiana, District Ludhiana.

Short affidavit of Akarshi Jain, IPS, ACP, Civil Lines, Ludhiana has been filed today in Court. Same is taken on record.

Learned counsel for the petitioner has submitted that petitioner has been falsely implicated in the present case and has been in custody since 16.07.2024. It has further been asserted by the counsel that unlike the other co-accused petitioner was not named in the FIR and came to be nominated pursuant to a disclosure statement allegedly suffered by three co-accused from whom the stolen two wheelers were recovered. Counsel has submitted that since investigation in the present case is complete, further incarceration

of the petitioner would serve no useful purpose as there can be no apprehension of the petitioner tampering with the evidence or influencing the witnesses. It has also been brought to the notice of this Court that identical placed co-accused namely Jatin has been extended the concession of bail by this Court vide order of even date.

Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite has not disputed the custody period of the petitioner nor has disputed that the challan stands presented in the present case. On further instructions it has also not been disputed that the petitioner was not initially named in the FIR but came to be nominated as an accused in a disclosure statement allegedly suffered by the three co-accused. State counsel has however submitted that the petitioner was part of a gang which had been indulging in theft of two wheelers.

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

The petitioner has been in custody since 16.07.2024. Investigation in the present case is complete, however, the trial is unlikely to conclude in the near future as firstly the charges have not yet been framed coupled with the fact that as many as 11 prosecution witnesses have been cited.

In the facts and circumstances as enumerated hereinabove, this Court deems it appropriate to grant to the petitioner the concession of bail.

Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds 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.

Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

(MANJARI NEHRU KAUL)
JUDGE

18.02.2025
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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No