

CRM-M-61652-2024

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

268

CRM-M-61652-2024

Date of decision: 10<sup>th</sup> January, 2025

Sonu

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Ashish Nagar, Advocate for the petitioner.

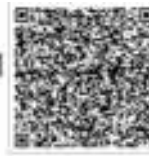
Ms. Himani Arora, Assistant Advocate General, Punjab.

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**MANISHA BATRA, J (ORAL):-**

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 101 dated 15.08.2024 registered under Sections 307 and 304 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 317(2) of BNS added later on), at Police Sarabha Nagar, District Police Commisionerate Ludhiana.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR had been registered on the basis of statement recorded by the complainant Soban Singh alleging that on 09.08.2024, the petitioner along with the co-accused had intercepted him while he was going to perform his duty at Verka Milk Plant on his activa vehicle. They had assaulted him and forcibly took away his vehicle, mobile phone and wallet while extending threats to him. He also disclosed that he



had made inquiry at his own level and had come to know about the identity of the petitioner and other assailants/snatchers. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 16.08.2024. The co-accused were also arrested. Investigation has since been concluded.

3. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case. He is in custody since long. Trial is likely to take time. His further detention would not serve any useful purpose. As such, it is urged that he deserves to be released on bail.

4. On the other hand, learned Assistant Advocate General, Punjab has argued that there are serious allegations against the petitioner. He is involved in one more case of similar nature. There are chances of his committing similar offences or absconding, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner along with the co-accused is alleged to have intercepted the complainant and while assaulting him, is alleged to have snatched money, mobile phone, wallet and activa of the complainant. No recovery has, however, been effected from him. Trial is likely to take time. Pendency of one more case cannot be a ground for denying benefit of bail to the petitioner. Taking into consideration, the period of incarceration and the above discussed facts and circumstances of the case as well as the settled proposition of law to the effect that bail is the rule and jail is an exception



but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

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

[MANISHA BATRA]  
JUDGE

10<sup>th</sup> January, 2025  
Parveen Sharma

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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable         | : | Yes / No |