

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-61611-2024
Date of decision:-14.05.2025

DEEPAK

Versus
STATE OF PUNJAB

... Petitioner

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Girdhari Shanker Verma, Advocate, for the petitioner.

Mr. Durgesh Garg, AAG, Punjab.

SANJIV BERRY, J.(ORAL)

Status report by way of an affidavit dated 16.03.2025, of Assistant Commissioner of Police (South), Police Commissionerate Ludhiana, has been filed in the Registry, learned State counsel has also filed custody certificate dated 13.05.2025, the same are taken on record, copies thereof, have been supplied to the counsel opposite.

2. The instant petition has been preferred by the petitioner under Section 439 of the Criminal Procedure Code, for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
147	04.06.2024	379-B(2), 34 & 411 IPC	Sahnewal, District Ludhiana

3. Arguments heard.

4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent, and has been falsely implicated in this case.



He contends that no article belonging to the complainant has been recovered from the possession of the petitioner and as per case of the petitioner, one iron daah allegedly used in occurrence along with ₹500 has been recovered from co-accused Ashok Kumar @ Shoki who has since been granted concession of bail by this Court vide order dated 05.02.2025 passed in CRM-M-56839-2024. He submits that one motorcycle alongwith ₹200/- has been recovered from the petitioner. He submits that no injury, whatsoever has been caused in the occurrence and the petitioner is in custody since 06.06.2024, after completion of investigation challan has already been presented in Court, wherein prosecution has cited 10 witnesses and till date none of them have been examined. Hence, prayed for grant of concession of bail to the petitioner.

5. *Per contra*, learned State counsel referring to the reply submitted by the State, has opposed the bail petition by arguing that the petitioner is involved in heinous crime and deserve no concession of bail. Hence prayed for dismissal of the bail petition. However, he has not disputed that trial is going on, wherein 10 witnesses have been cited by the prosecution and till date none of them have been examined.

6. After considering the rival contentions and perusing the record, it is observed that instant FIR was registered on the allegation that on 01.06.2024, the complainant was going on foot and the petitioner alongwith co-accused caught hold of him and snatched ₹3400/-, one Vivo mobile phone and one bag from him by putting him under fear. Thereafter, the petitioner alongwith co-accused Ashok Kumar alias Shoki, Jatin were arrested on 06.06.2024 and recovery of iron daah, and ₹500 has been



effected from the co-accused Ashok Kumar @ Shoki and one motorcycle and ₹200/- were recovered from the petitioner. Co-accused Ashok Kumar @ Shoki has since been granted concession of bail by this Court vide order dated 05.02.2025 passed in CRM-M-56839-2024. After completion of investigation, challan has been presented in Court wherein prosecution has cited 10 witnesses and till date none of them have been examined. The conclusion of trial to ascertain criminal liability, if any, of the petitioner will take sufficient long time, as, such, no purpose would be served by detaining the petitioners any longer in custody.

7. Resultantly, in these circumstances, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with the evidence of the prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

9. Pending application(s) if any shall also stand disposed of.

(SANJIV BERRY)
JUDGE

14.05.2025

Gyan	i)	Whether speaking/reasoned?	Yes/No
	ii)	Whether reportable?	Yes/No