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253 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-63983-2025

Date of Decision: 10.12.2025

SAGAR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Aditya Anand, Advocate for the petitioner.

Mr. Raj Karan Singh, AAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.126, dated 27.06.2024, under Sections 379-B, 341, 34 and 201 of IPC and Section 21 of NDPS Act, 1985 (later on added Sections 238 and 111 of BNS, 2023 vide order dated 01.12.2025), registered at Police Station Kamboj, District Amritsar Rural.

2. Succinctly the facts of the case is that the FIR was lodged on the statement of the complainant, namely, Prem Bhatt. It was alleged that on 26.06.2024, he was coming on his motorcycle from Fatehgarh Churian Road via Bhaini Gill towards Pandori Warraich. At about 07:45 PM, when he reached near T-point near Nakha Wala Bagh, two young boys came from behind on a black colored Splendor motorcycle. They stopped him and the boy sitting pillion by showing knife and snatched his purse containing Rs.7,000/-. Thereafter, they fled on their motorcycle. It was alleged that he had been searching for them of his own and now he had came to know and fully confident that the young boys who snatched his money on 26.06.2024 were Sahil Masih and Sagar. Request was made to take legal action against the accused persons. FIR got registered and

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completion of the investigation, the challan was presented. On framing of charges, trial commenced. He approached the learned Additional Sessions Judge, Amritsar for grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Amritsar declined the bail application vide order dated 19.07.2025. Thus, the petitioner is before this Court praying for the grant of bail by way of filing the present second petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He submits that the complainant has alleged that the two boys came on the motorcycle and they snatched his purse containing Rs.7,000/-. He further submits that the petitioner and the complainant did not know each other. However, there is no basis regarding the allegation that the complainant had named the petitioner and the co-accused in the FIR. He further submits that it is evident that the petitioner has been roped in the present case on the basis of assumptions. He further submits that false implication of the petitioner in the present case is writ-large. He further submits that the petitioner is behind bars for the last more than 1½ half years and he has been prosecuted in two more cases. He further submits that there is no material progress in the trial. Thus, in the facts and circumstances, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that the recovery of *kirch* and the motorcycle has been effected from the co-accused. However, there is no recovery from the petitioner but he has been falsely implicated in the present case during investigation. On instructions, he further submits that out of total 15 prosecution witnesses, only 04 have been examined so far. He has produced



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record.

5. Heard.

6. On hearing learned counsel for the parties and perusing the record, it is deciphered that petitioner has been arrayed as an accused during investigation. No recovery has been effected from him and the same is from the co-accused. Custody certificate produced would show that the petitioner has completed incarceration of 01 year, 05 months and 07 days as on 09.12.2025. It further reflects that the petitioner is involved in two more cases, however, in one case, he has been acquitted. Out of total 15 prosecution witnesses, only 04 have been examined so far.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time.

8. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

9. In case the bail bonds are not furnished by the petitioner during the period of 07 days from today, then his further custody period after one week will not be counted in the present case.

10.12.2025
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(RAJESH BHARDWAJ)
JUDGE

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