



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

CRM-M-44661-2025

Date of decision : 19.02.2026

Deepak Kumar @ Deepu

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Sanjeev Sharma, Legal Aid Counsel
for the petitioner.

Mr. Raj Karan Singh, AAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Petitioner has approached this Court by way of filing the present petition praying for grant of regular bail to him in case FIR No.82 dated 30.07.2018, under Section 379-B/411, registered at Police Station GRP Bathinda, District Bathinda.

2. Succinctly facts of the case are that the FIR was registered on the statement of complainant namely, Buta Singh. It was alleged that the complainant was doing agriculture work in his village. He along with Manpreet Singh who was doing work of Cable Operator under Contractor and went to Delhi for purchasing cable network motors. It was also alleged that on 30.07.2018 they both were coming back from Delhi through Punjab Mail and deboarded at Mansa Station and they sat down on the bench after keeping their luggage at waiting room Plat Form No.1 at Railway Station, Mansa. At about 05:30 AM, when the complainant was calling to his house, he saw three hindu boys aged about 18-25 years, one of them was holding *forda* and another was holding a stick and the third one who was empty handed, snatched the phone of the complainant and all of them ran away towards Railway Plati via Platform No.2. Complainant and Manpreet Singh



also followed them then the accused persons were trying to caused injuries to the complainant side with *forda* and stick they were carrying. In order to save their lives, both of them returned to the waiting room however, three accused persons ran away by snatching the phone of the complainant. Request was made to take legal action against the accused persons. FIR got registered and investigation commenced. The petitioner was arrested on 30.07.2018. On completion of the investigation, the challan was presented. On framing of charges, trial commenced. He approached the learned Additional Sessions Judge, Bathinda for grant of bail. However, after hearing both the sides, learned Additional Sessions Judge, Bathinda allowed the bail application vide order dated 28.08.2018. However, petitioner jumped the bail on 14.07.2022 and thus, he was declared as Proclaimed Offender on 28.03.2023. Thereafter, he was re-arrested on 22.08.2024. Petitioner thereafter, again approached the Court of learned Additional Sessions Judge, Bathinda however, the same was declined after hearing counsel for the parties vide order dated 14.01.2025. Hence, being aggrieved, petitioner is before this Court by way of filing the present petition.

3. It has been contended by learned counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He has submitted that the alleged occurrence is of the year 2018. He submits that the petitioner was initially arrested on 30.07.2018 however, he was granted bail on 28.08.2018 by learned Additional Sessions Judge, Bathinda. He submits that the petitioner was duly appearing before the trial Court. However, he remained absent unintentionally only one day i.e. 14.07.2022 thus, bailable warrant was issued against him and thereafter, non-bailable warrants were issued and ultimately, he was arrested.



Thereafter, the petitioner was again granted bail on 24.06.2020 by the learned Additional Sessions Judge, Bathinda. It is submitted that during the pandemic, he could not appear before the Court and thus, was declared proclaimed offender on 28.03.2023. He submits that the petitioner thereafter was re-arrested on 22.08.2024 and since then, he is behind the bars. It is submitted that the only allegation against the petitioner is regarding snatching one mobile phone. He submits that though, the petitioner is falsely implicated in other three cases however, he is on bail in those cases. It is submitted that petitioner is behind the bars from last more than 1½ years but the trial is still in progress thus, the right of speedy trial is defeated in this case.

4. Learned State counsel has opposed the submissions made by learned counsel for the petitioner. He submit that the petitioner has misused the concession of bail granted to him twice and he remained absent and thus, he was declared as proclaimed offender. He submits that in all there are 10 prosecution witnesses out of which 03 witnesses still remain to be examined. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the occurrence in the present case is of the year 2018. Petitioner was granted bail but as he remained absent, hence he was declared as proclaimed offender. Petitioner was re-arrested on 22.08.2024 and since then he is behind the bars. Custody certificate filed by the State shows that the petitioner has undergone actual sentence of 01 year 06 months and 27 days as on 18.02.2026. It further reflects that there were three other cases against the petitioner out of which in 01 case, he has been acquitted and in remaining 02 cases, he is not on bail. As submitted by the State, out of 10 prosecution witnesses, 03 witnesses still remain to be

examined.

6. The veracity of the allegations would be assessed only after 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. 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 and the 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.

7. If the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in the present case.

19.02.2026
m.sharma

(RAJESH BHARDWAJ)
JUDGE

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