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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-28477-2024

Date of decision:-11.02.2025

GHOKI @ GURPREET SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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

Present:- Mr. Matinder Singh, Advocate for the petitioner.

Mr. Jatinder Pal Singh, Sr. DAG, Punjab.

SANJIV BERRY, J.(ORAL)

The instant petition has been preferred by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023(BNSS), for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
42	05.04.2024	379-B, 392, 34 IPC	Mullanpur, District SAS Nagar

2. Arguments heard.

3. 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 the petitioner is in custody since 05.04.2024, after completion of investigation challan has already been presented in Court and conclusion thereof will take sufficient long time. Hence prayed for grant of concession of regular bail to the petitioner.

4. *Per contra*, learned State counsel referring to the reply



submitted by the State, has assailed these arguments by submitting that the petitioner along with co-accused had snatched the belongings of the complainant after putting him in fear. He submits that consequent upon the arrest of the petitioner the wallet of the complainant containing ATM Card and cash amounting to ₹710 has been recovered. However, he has admitted that no weapon has been recovered in this case from the accused. He contends that the petitioner is also having 9 other FIR registered against him, as such, he prays for dismissal of the petition.

5. After considering the rival contentions and perusing the record, it transpires that the present FIR was registered on the statement of the complainant alleging that on 05.04.2024 while he was returning home in his car he stopped it on the way to answer a mobile call when two persons came there and by putting him in fear asked him to handover the belongings, the complainant handed-over his wallet, ₹1200/-, Aadhar card, ATM card to those persons then those persons ran away from the spot with one of them calling the name of the present petitioner Goki.

6. During course of investigation, petitioner was arrested on 05.04.2024 and recovery of aforesaid wallet, ATM card, Aadhar Card and ₹710/- has been effected from the petitioner. Admittedly, neither there is recovery of any weapon nor there is any injury caused to the complainant in the occurrence. After completion of investigation, challan has already been presented in Court where it is pending trial. The conclusion of trial to ascertain criminal liability, if any will take sufficient long time, no purpose would be served by detaining the petitioner any longer.

7. Therefore, 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 evidence of 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

11.02.2025

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