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

CRM-M-29859-2024

Date of decision : 26.03.2025

Anu @ Laddi @ Raj Kumar**.....Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Dr. Sumati Jund, Advocate
for the petitioner.

Mr. J.S. Arora, DAG, 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.89 dated 27.10.2023, under Sections 392 and 34 of IPC, 1860, registered at Police Station Kiratpur Sahib, District Rupnagar, Punjab.
2. Succinctly facts of the case are that the FIR in the present case has been recorded on the statement of Rajni wife of late Amrik Singh. It was alleged that on 22.10.2023, she and her neighbour Annu were going for a walk and at that time, they saw three young persons standing along with their motorcycle. They started following both of them on their motorcycle. When at about 09:10 PM, they reached in front of Subhash Meat Shop, the person wearing white shirt came from behind and pushed her neighbour Annu and came towards her. He threatened her on the knife point and asked to handover her phone. They snatched her phone and then all the three youngsters ran away on their motorcycle. Request was made to take legal action against the culprits. On registration of the FIR, investigation commenced. During investigation, one of the accused



Surinder Singh @ Salinder Singh was arrested. During his investigation, he made a disclosure statement about the complicity of the petitioner. Thus, petitioner was also arrayed as an accused and he was arrested on 18.02.2024. He approached the Court of learned Additional Sessions Judge, Rupnagar praying for grant of bail. However, after hearing counsel for both the sides, the same was declined vide order dated 15.05.2024. Hence, being aggrieved petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in this case. She submits that the petitioner was not named in the FIR however, he has been implicated in this case on the basis of the disclosure statement made by co-accused namely, Surinder Singh @ Salinder Singh which is not an admissible evidence. She submits that the petitioner is behind bars since the date of his arrest however, there is no progress in the trial till date. She submits that though the petitioner is involved in one more case under the Excise Act however, he is on bail in the same. She has also submitted that no recovery has been effected from the petitioner. It is submitted that the petitioner is not involved in any other case of the similar nature and thus, in the facts and circumstances of the case, he deserves to be granted regular bail.

4. Learned State counsel has opposed the submissions made by counsel for the petitioner. He submits that the petitioner was duly identified by the complainant. He has placed on record the custody certificate of the petitioner. He, on instructions, has submitted that out of 16 prosecution witnesses only 02 witnesses have been examined so far.



5. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner was named in the present FIR on the basis of the disclosure statement made by the co-accused. Petitioner is behind bars since 18.02.2024 and as submitted that out of 16 prosecution witnesses, only 02 witnesses have been examined till date. Custody certificate filed by the State shows that petitioner has suffered incarceration of 01 year 01 month and 06 days as on 25.03.2025. It would further reflect that though petitioner is involved in one more case under the Excise Act, however, he is on bail in the same.

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.

26.03.2025
m.sharma

(**RAJESH BHARDWAJ**)
JUDGE

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