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

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**CRM-M No.5964 of 2025
Date of Decision: 13.05.2025**

Amritpal Singh @ Bhala ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ranjodh Singh Sidhu, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
199	17.11.2023	Kamboj, District Amritsar Rural	379-B, 379-B(2), 307 and 34 of IPC and 25 and 27 of Arms Act, 1959

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR has been registered on the basis of statement recorded by the complainant Dharampal who was running a dhaba under the name of Arjan Tea Stall at Village Bauli Bus Stand Amritsar alleging therein that on 16.11.2023 at about 8:30 PM, he along with his nephew Gagandeep was working in his dhaba when three unknown youth reached there in a motorbike. Their faces were covered.

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They placed order for giving chapatis to the complainant. The complainant gave chapatis to them and when he was exchanging money, they showed a pistol like object and by extending threats, forcibly snatched a sum of Rs.7800/- kept in the pocket of his jacket and fled away. The cover of face of two of them had fallen in the meanwhile. While alleging that he could identify that snatcher, the complainant prayed for taking action. After registration of FIR, investigation proceedings were initiated. The complainant then recorded supplementary statement to the effect that one of the snatcher had fired a shot with some firearm with an intention to kill him but the shots had missed him. Offence under Section 307 of IPC was added. During the course of investigation, the petitioner and co-accused were nominated as such. The petitioner and co-accused who were arrested in another case had already got recovered the pistol and motorcycle used in this case. They were also arrested in this case. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 02.12.2023. The trial is likely to take considerable time since not even a single witness has been examined so far. A false recovery has been planted upon him. His further detention would not serve any useful purpose. Accordingly, it is argued that he deserves to be released on bail.

4. Status report has been filed. Learned Assistant Advocate General, Punjab has argued that there are serious allegations against the petitioner who has criminal antecedents since five cases were registered

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against him though he has been acquitted in two of such cases. There are chances of his absconding or committing similar offences if extended benefit of bail and, therefore, it is argued that he does not deserve to be released on bail.

5. This Court has considered the rival submissions.

6. The petitioner along with the co-accused is alleged to have committed the offence of snatching as against the complainant on 16.11.2023. He is in custody for over a period of one year. The trial would take time to conclude. The involvement of the petitioner in other cases cannot be considered to be a sole criterion for denying the benefit of bail to him. It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the period of incarceration of the petitioner, the fact that the trial is likely to take substantial time to conclude, the nature of the allegations and the attendant facts and circumstances but without meaning to make any comment on the merits of the case, this Court is of the considered opinion that he deserves to be released on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

13.05.2025

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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No