



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

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**CRM-M-24836-2025 (O&M)  
Date of Decision:- 28.05.2025**

SUNIL KUMAR ALIAS SUNIL

...Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

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

Present : Mr. B.S. Jaswal, Advocate for the petitioner.

Mr. Durgesh Garg, AAG Punjab.

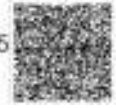
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**SANJIV BERRY, J. (ORAL)**

1. Short reply dated 27.05.2025 filed in the form of an affidavit of Assistant Commissioner of Police, (Central), Amritsar, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. Arguments heard.
3. The instant petition has been preferred by the petitioner under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in the following case :-

<b>FIR No.</b>	<b>Dated</b>	<b>Sections</b>	<b>Police Station</b>
125	07.11.2023	379-B and 34 IPC; 25 Arms Act; [379-B(2), 411, 148, 149 IPC added later on]	E-Division, District Amritsar, Punjab

4. 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 no specific overt act is attributed to the petitioner and he has been nominated on the basis of disclosure statement made by co-accused. He submits that similarly situated co-accused have already been granted the concession of bail vide Annexures P-4 to P-6. He submits that the petitioner is in custody since 09.11.2023 and after the completion of investigation, challan has been presented in Court and the conclusion of trial will take sufficient long time. Thus, prays for grant of concession of bail to the petitioner.

5. *Per contra*, learned State counsel while referring to the short reply filed by the State has opposed the petition on the ground that the petitioner along with his accomplices had snatched the cash amount and mobile phone from the shop of the complainant and his staff members. He submits that out of the snatched amount, ₹4,000/- has been recovered from the petitioner, therefore, he does not deserve the concession of bail and prays for dismissal of the petition. He has, however, not disputed the fact that similarly situated co-accused have been granted the concession of bail by this Court.

6. After considering the rival contentions and perusing the record, it transpires that the instant case was registered on the complaint of Nitish Sarin to the effect that on 07.11.2023 at about 09:50 pm, while he was present in his shop, five persons armed with weapons entered his shop and by putting him under fear, had forcibly taken away cash box and his mobile phone. Subsequently, the petitioner was arrested on 09.11.2023 and after



completion of investigation, challan has already been presented in Court, wherein 4 witnesses have been examined including the eye witnesses namely Baljit Singh and Amit Kumar, who have been examined as PW-1 and PW-2 respectively and have not supported the case of the prosecution against the petitioner and were declared hostile. Admittedly, similarly situated co-accused have already been granted the concession of bail by this Court. The conclusion of trial to ascertain criminal liability, if any, will take sufficient long time, as such, no purpose would be served by detaining petitioner any longer.

7. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate 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 miscellaneous application(s), if any, stands disposed of.

**(SANJIV BERRY)**  
**JUDGE**

**28.05.2025**

*S.Sharma(syr)*

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