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

**CRM-M No.13744 of 2025
Date of Decision: 08.05.2025**

Arun Kumar @ Soni Sharma @ Sonu Sharma

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Ketan Chopra, Advocate
for the petitioner.

Mr. J. S. Arora, DAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.42, dated 01.05.2020, under Sections 379(B)(2), 188 & 411 of IPC, registered at Police Station Dehlon, District Ludhiana. Further prayer has been made for releasing the petitioner on interim bail during the pendency of the present petition.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Daljeet Kaur. It was alleged that on 01.05.2020, she was going on Activa scooter bearing registration No.PB-10-EV-5458 and when she reached near Saaya Chowk at around 1:50 P.M., a young man came in front of her vehicle, who threatened her with a sharp object and snatched her Activa scooter. In the scooter's compartment, her I Phone, RC of the scooter,



examined and the co-accused has already on bail. He has submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned counsel for the State has opposed the submissions made by counsel for the petitioner. He, on instructions, has submitted that the petitioner was admittedly enlarged on bail by the learned trial Court, however he misused the same and remained at large for about 03 years and hence he could be arrested in April, 2023. He has placed on record custody certificate of the petitioner today in the Court and the same is taken on record. He has submitted that the petitioner is a habitual offender and he has been convicted in 05 more cases as well as evident from the custody certificate filed by learned State counsel.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is inferred that the petitioner was arrested on 04.05.2020 and was granted bail on 28.10.2020. However as he remained absent, thus he was arrested in April, 2023 and since then he is behind bars. Co-accused of the petitioner in the present case has already been granted bail. Out of 12 prosecution witnesses, 04 have been examined. Custody certificate of the petitioner filed by learned State counsel would show that his under trial period has been shown from 10.05.2020 to 28.10.2020 and the same is of 05 months and 18 days. Thereafter, his custody in the present case is not being counted as he has been convicted in other cases and presently his custody is being counted as per the custody certificate in case bearing FIR No.44, dated 02.06.2023, under Sections 379, 411 of IPC, registered at Police Station Laddowal wherein he has been convicted and sentenced for 1 year RI vide order dated 09.07.2024.



however it is an admitted fact that the petitioner is behind bars as on date. In the facts and circumstances, this Court is of the opinion that the petitioner deserves to be granted bail.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

8. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioners succeeds in making out a case for the grant of 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. However, 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 this case.

08.05.2025

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**(RAJESH BHARDWAJ)
JUDGE**

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