



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-3646-2025

Reserved on: 7th May, 2025

Pronounced on: 9th May, 2025

Amrinder Singh @ Raja

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Viresh Kumar Dhiman, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

The instant one is the second petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 102 dated 12.11.2023 registered under Sections 379-B, 411 and 34 of IPC at Police Station Daresi, District Ludhiana.

2. As per the prosecution case, on 12.11.2023, the complainant Ashok Thapar was going towards his house along with grandson of his brother-in-law, on an *activa* vehicle. He was a pillion rider. They were intercepted by six persons riding on two bikes. By showing *datars*, they extended threats to the complainant and snatched the money which the complainant and Mayank were having as sale proceeds derived by sale of crackers. They also snatched their phones and wallets. After registration of



FIR, investigation proceedings were initiated. The petitioner was arrested on 21.11.2023. Presently, he along with co-accused is facing trial.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since long. The co-accused have been extended benefit of regular bail. On parity, he too deserves to be extended the same benefit. He has been acquitted in five out of the seven cases as registered against him. Trial will take considerable time to conclude as no witness has been examined so far. It is submitted that the prolonged period of incarceration is also a ground for extending benefit of bail to him. Accordingly, it is urged that he deserves to be released on bail.

4. Status report has been filed by respondent-State. It is argued by learned Assistant Advocate General, Punjab, that there is no substantive change in the circumstances ever since the dismissal of the previous petition for grant of bail as filed by the petitioner. He has criminal antecedents. There are chances of his committing similar offences, if extended benefit of bail. Therefore, it is stressed that he does not deserve to be released on bail.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner along with the co-accused is alleged to have committed offence of snatching. The snatched phones and the vehicles used at the time of occurrence was recovered at his instance. He is in custody since 21.11.2023. The co-accused have been extended benefit of bail. No witness of the prosecution has been examined so far. It is well settled that depriving an accused of his liberty by imprisonment as a result of long



delayed trial is in violation of his fundamental right under Article 21. The prolonged period of custody is one of an important factor while considering an application seeking release on bail. In view of the above discussed facts and on parity but without expressing any opinion on the merits or demerits of the rival submissions and considering the facts and circumstances on record, in the opinion of this Court, a case for release of petitioner on bail is made out at this stage. 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 the trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

9th May, 2025

Parveen Sharma

1. *Whether speaking/ reasoned* : *Yes / No*
2. *Whether reportable* : *Yes / No*