

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

109+212

CRM-M-11349-2025 (O&M)

Date of decision : 24.09.2025

SUKHDEEP SINGH ALIAS BOBBY

.....PETITIONER

Versus

STATE OF PUNJAB

..... RESPONDENT

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present: Ms. Vaishali Kamboj, Advocate
for the petitioner.

Mr. K.D. Sachdeva, DAG, Punjab.

SURYA PARTAP SINGH, J. (Oral)

CRM-38226-2025

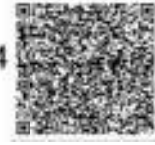
Allowed as prayed for.

CRM-38227-2025

This is an application seeking for placing on record certain documents. For the reasons stated in the application, the same is hereby allowed and the documents annexed with the application are taken on record.

Main case

1. For the commission of offence punishable under Sections 379-B and 34 Indian Penal Code, 1860, the FIR No.228 dated 23.11.2023, has been lodged in Police Station Dassauya, District Hoshiarpur. With regard to commission of above mentioned offence, the petitioner has been arrested. He is in custody, and therefore, craving for the concession of bail. This is first petition for bail, filed by the petitioner under Section 483 of BNSS.

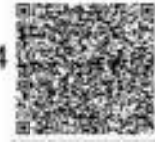


2. In nut-shell the facts emerging from record are that the above mentioned FIR came into being in view of a complaint submitted by Smt. Joginder Kaur “hereinafter being referred to as complainant only.” In her above mentioned complaint, it was stated by the complainant that when she was going on her two-wheeler, near Civil Hospital Dasuya two young boys came on a bike snatched her purse and fled from the spot. According to complainant, in her above-mentioned purse, she was carrying her Aadhar Card, Bank Passbook, Two Mobile Phones and Rs.2,000/- cash. It is the case of the prosecution that in response to above-mentioned complaint, when FIR was lodged and investigation taken up during the course of investigation, the petitioner was arrested, who suffered disclosure statement. According to prosecution subsequently the petitioner had identified the petitioner, in the police station, as one of the assailant.

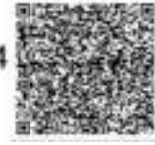
3. Heard.

4. It has been contended by learned counsel for the petitioner that the petitioner has already suffered sufficient incarceration for being in custody for a period of more than 01 year and that the statement of the complainant has already been recorded during the course of trial, wherein she has specifically mentioned that the petitioner was not involved in the commission of crime. As per learned counsel for the petitioner in the above mentioned prevailing circumstances, the petitioner is entitled for the benefit of bail.

5. *Per contra*, learned State counsel has argued that the petitioner has a long criminal history and that for similar type of offences he is prosecuted in four other cases. According to learned State counsel in view of past conduct of the petitioner, he is not entitled for the benefit of bail.



6. The record has been perused carefully.
7. A perusal of record shows that the entire prosecution case is resting upon the plea that the petitioner had suffered disclosure statement and that he was identified by the complainant. A copy of statement of complainant recorded before the learned trial Court has been placed on record by learned counsel for the petitioner and the contents of above-mentioned statement shows that it has been specifically denied by the complainant (as PW-1) that she had identified the petitioner, as one of the assailants, in the Police Station. During the course of her examination in the Court also it has been deposed by the complainant that the person shown to him as accused Sukhdeep Singh was not involved in the incident.
8. In addition to above, there are certain other factors also, which needs to be taken into consideration for arriving at any decision with regard to instant petition. They are:-
 - (1) that the petitioner has already suffered sufficient incarceration for being in custody for a period of 01 year and 02 months;
 - (2) that nothing is left to be recovered from the possession of petitioner;
 - (3) that detention of petitioner in judicial lock up is not likely to serve any purpose;
 - (4) that the statement of complainant has already been recorded and therefore, there is no chance of tampering of evidence or influencing the witnesses by the petitioner.
9. If cumulative effect of all the above mentioned factors is taken into consideration, it leads to a conclusion that the petitioner is entitled for the benefit of bail.



10. Accordingly, without commenting anything on the merits of the case, the present petition is hereby allowed and the petitioner is admitted to bail subject to his furnishing bail bonds to the satisfaction of learned trial Court. It is further clarified that on the day when petitioner applies for furnishing the bail bonds, the learned trial Court is not available, the learned Sessions Judge shall be at liberty to assign the case, for the abovesaid purpose, to any other Court.

(SURYA PARTAP SINGH)
JUDGE

24.09.2025

vipin

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