



CRM-M-25511-2025

1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.215

Case No. : CRM-M-25511-2025

Decided On : May 26, 2025

Dharamvir Singh alias Sodhi Petitioner

vs.

State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

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Present : Ms. Bindu Tanwar, Advocate
for the petitioner.

Mr. P. S. Pandher, AAG, Punjab.

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SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is for grant of anticipatory bail to the petitioner in FIR No.2 dated 02.01.2025, under Section 309(4) of Bharatiya Nyaya Sanhita (BNS), 2023, registered at Police Station Balachaur, District S.B.S. Nagar.

The prosecution version in the present case is that the aforesaid FIR was registered on the statement of complainant namely Hari Krishan Bhumbla, wherein it had been alleged that on 01.01.2025, the complainant withdrew a sum of Rs.14,000/- from ATM. In the meantime, a young boy entered into the ATM and snatched his money and ran away. He saw him sitting on a motorcycle, on which two persons were already waiting for him. After 18 days i.e. on 19.01.2025, the complainant got his supplementary statement recorded that as a result of the efforts made by him, he came to



CRM-M-25511-2025

2

know the snatcher's identity as Heera Singh and driver of the motorcycle as Dharamvir alias Sodhi (present petitioner) and pillion rider as Harpreet @ Happy. Accordingly, DDR No.14 dated 19.01.2025 was recorded and all the aforesaid three persons (including the petitioner) were nominated as accused in the aforesaid FIR.

Learned counsel for the petitioner contended that the petitioner has not been named in the FIR and was nominated as accused only on the basis of supplementary statement of the complainant. He contended that the alleged snatching was not committed by the petitioner and his custodial interrogation is not required. He submitted that the petitioner is ready and willing to join investigation and he be granted concession of anticipatory bail.

Notice in this case was issued on 14.05.2025 and Status Report was called from the State, which has been filed today in Court and is taken on record.

Learned State counsel, while opposing the present bail petition, contended the petitioner was driving the motorcycle on which the co-accused fled away after committing offence of snatching and as such, he facilitated the occurrence. Therefore, his custodial interrogation is required for fair and effective investigation and he does not deserve concession of anticipatory bail.

Heard.

The allegations qua snatching in this case have been levelled against co-accused Heera Singh, who had allegedly entered in the ATM. Two co-accused namely Heera Singh and Harpreet @ Happy have already



CRM-M-25511-2025

3

been arrested in this case. As per the Status Report, challan against some of the co-accused has already been presented before the Court of learned Sub Divisional Judicial Magistrate, S.B.S. Nagar. Custodial interrogation of the petitioner is not required for any purpose and nothing is to be recovered from her. So, no useful purpose would be served by sending the petitioner behind the bars.

Accordingly, without commenting on the merits of the case, the present petition is allowed. In the event of arrest, the petitioner is ordered to be released on bail, on furnishing bail/surety bonds, to the satisfaction of the Arresting Officer/Investigating Officer, subject to the conditions, as provided under Section 482(2) of BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard. The petitioner shall also abide by the conditions mentioned in Section 482(2) of the BNSS.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

May 26, 2025

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(SUKHVINDER KAUR)
JUDGE

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>