

214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3740-2019 (O&M)

Date of decision:12.03.2019

Pawan Kumar @ Mattar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Amandeep S. Gill, Senior DAG, Punjab.

RAJBIR SEHRAWAT, J. (ORAL)

Prayer in this petition filed under Section 439 of Cr.P.C. is for grant of bail pending trial in case FIR No.257 dated 06.09.2017 under Section 392 of IPC and Sections 25, 27, 54, 59 of Arms Act (added later on), registered at Police Station Sultanopur Lodi, District Kapurthala.

Learned counsel for the petitioner contends that the case against the petitioner is totally concocted. The prosecution had even fabricated recoveries as having been made from the petitioner. However, the complainant in the case has already been examined before the trial Court and he has not supported the case of the prosecution. It is further submitted that the complainant has stated before the Court as a witness that the petitioner was not the person, who was involved in the incident of snatching as alleged in this case. The petitioner is in custody since 15.12.2018. The trial shall take a long time.

On the other hand, learned counsel for the State, being instructed by HC Lakhwinder Singh, submits that there have been recoveries of the snatched material from the petitioner. It is not disputed

that the complainant has not fully supported the case of the prosecution and that the petitioner is in custody since 15.12.2018.

In view of the above, but without commenting any further on merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

12.03.2019
Hemlata

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