

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

**CRM-M No. 54469 of 2018
Date of Decision:-06.02.2019**

Buta Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. B.R. Rana-I, Advocate
for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner Buta Singh has applied for regular bail in case FIR No.25 dated 11.2.2016, under Section 382 read with Section 34 IPC, registered at Police Station Shimlapuri, District Ludhiana during pendency of the trial. He is in custody since 15.8.2018.

As per the allegations, complainant Parkash Kumar after withdrawing a sum of Rs.50,000/-, was going on scooter when two persons stopped him and snatched away the bag, containing the money. According to the complainant that two persons were namely Karam Jit Singh @ Kamma and Buta Singh (petitioner herein).

Learned counsel for the petitioner contends that there is delay of two days in the FIR which has not been explained, particularly, when the complainant was aware of the particulars of the accused persons. It is

further contended that the investigation of the case is complete and the co-accused namely Karam Jit Singh @ Kamma has already been granted regular bail.

On the other hand, learned State counsel assisted by ASI Jatinder Singh has opposed the bail application. It is pointed out that the petitioner was earlier declared proclaimed offender on 02.8.2017, however, it is not disputed that he is in custody since 15.8.2018.

At this stage, learned counsel for the petitioner contends that the petitioner was not even aware of this case against him.

Learned State counsel has apprised the Court that the challan stands filed in the Court on 02.8.2016, however, the charges are yet to be framed.

Considering the above background, custodial period of the petitioner, status of the case and stage of trial, which is likely to take considerable time, further detention of the petitioner is not justified. Without commenting anything upon merits of the case and considering the custody and status of the trial, the petitioner is admitted to regular bail subject to his furnishing the requisite bail bonds and surety bonds to the satisfaction of the trial Court.

The petition is allowed.

February 06, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No