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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40427-2019
Date of decision-05.12.2019

Varinder Kumar @ Binder

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jasraj Singh, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Varinder Kumar @ Binder has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.42 dated 29.04.2019 registered under Section 379-B of Indian Penal Code, 1860 at Police Station Mehtiana, Hoshiarpur. The petitioner is in custody since his arrest on 12.07.2019.

The FIR was registered on the statement of Viasa Devi wife of Kashmira Singh wherein it was alleged that when she was going to village Badla along with her daughter-in-law and grandson on scooter, then two unidentified boys came on motorcycle and snatched her purse (containing Rs.15,000/-), gold chain of two tolas, locket of four grams, silver ring and ear-rings as well as two mobile phones. On these broad allegations FIR was registered.

Learned counsel for the petitioner contends that the petitioner

has been falsely implicated in the present case. He submits that the petitioner is not named in the FIR and nothing is to be recovered from him. He further submits that there is no other case against the petitioner and investigation of the case is complete, therefore, further custody of the petitioner may not be justified.

On the other hand, learned State counsel assisted by ASI Nirmal Singh opposed the prayer. However, it is not disputed that petitioner is not involved in any other case.

After hearing learned counsel for the parties, this Court is of the opinion that trial of the case is likely to consume considerable time, therefore, further custody of the petitioner may not be justified particularly when the investigation of the case is complete. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

05.12.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No