

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

**CRM-M No. 49850 of 2019
Date of Decision:-28.11.2019**

Jatinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Arshdeep Singh Brar, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Ms. Monika Cheema, Advocate
for the complainant.

MANOJ BAJAJ J.(Oral)

Petitioner-Jatinder Singh has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 204 dated 22.9.2019, under Sections 379-B and 411 IPC, registered at Police Station City South, Moga, District Moga. The petitioner is in custody since his arrest on 22.9.2019.

The FIR was registered on the statement of Monika, wherein it was alleged that on 21.9.2019 she had gone to market for some household

work. She needed money and went to the ATM of OBC Bank at Railway Road, Moga. When she was using the ATM machine for withdrawal of money, a person of about 30-32 years of age came and stood behind her. When she withdrew Rs.5000/-, the person standing behind her, gave a blow on her head with some hard thing and tried to snatch the amount, but, as the currency notes were gripped by the complainant firmly in her hand, half of the notes remained with her and half were taken by the said person. During investigation the person was found as Joginder Singh.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He contends that petitioner was not named in the FIR. He submits that the petitioner is in custody since 22.9.2019 and nothing is to be recovered from him. He further submits that after completion of investigation, challan has been presented on 07.11.2019, therefore, the trial, which is yet to start, will take sufficient time to conclude. He prays that the petitioner be released on regular bail pending trial. It is also pointed that the petitioner is not involved in any other case.

On the other hand, learned State counsel, who is assisted by HC Lakhbir Singh, has opposed the prayer on the ground of seriousness of offence. However, he has not disputed the fact that after filing of challan, the trial is yet to start.

After hearing learned counsel for the parties, this Court finds that the trial of the case is likely to consume considerable time and keeping in view the custodial period of the petitioner, his further custody may not be justified. Therefore, 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, Moga.

The petition is allowed.

November 28, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No