

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

CRM-M-26481-2020 (O&M)

Date of decision: 13.01.2021

Manjit

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vaibhav Jain, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This is the second petition that has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 52 dated 20.04.2019, registered under Sections 379-B(2), 379-B and 34 of the IPC at Police Station Adampur, Jalandhar.

The first petition, bearing CRM-M-32098-2019, was dismissed as withdrawn on 03.03.2020.

Learned counsel for the petitioner submits that as per the allegations in the FIR, registered at the instance of complainant Tarlochan Singh, it is stated that on 02.04.2019, when he was going on foot, one scooter stopped near him and one person started beating him with a baseball bat which hit him on his face and right shoulder. In the meantime, other persons snatched Aadhar Card, a photocopy of his Driving Licence and an amount of Rs. 200/- and thereafter, they ran away from the spot.

Learned counsel further submits that as per allegations in the FIR, there were three accused persons involved in the alleged incident. It is

further submitted that petitioner is not involved in any other case and he is in judicial custody since 21.04.2019.

Learned counsel for the petitioner further submits that conclusion of trial is likely to take a long time as out of total 15 prosecution witnesses, only 03 witnesses have been examined so far.

It is further submitted that two of the co-accused, namely Manjinder Singh @ Monu and Abhi, have already been granted concession of regular bail by the trial Court itself.

Learned State counsel, on the basis of the custody certificate, has not disputed the factual position. It is also not disputed that out of total 15 prosecution witnesses, only 03 witnesses have been examined so far.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that petitioner is in judicial custody since 21.04.2019; he is not involved in any other case; two of the co-accused have already been granted concession of regular bail by the trial Court and also in view of the fact that conclusion of trial is likely to take a long time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

13.01.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No