

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(Through Video Conferencing)

CRM-M-35421-2020

Date of Decision: 15.01.2021

RAJAT SINGH

.....Petitioner

V/s.

U.T., CHANDIGARH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present: Mr. Anil Sharma, Advocate,
for the petitioner.

Mr. Ashu Mohan Punchhi, P.P., U.T., Chandigarh with
Mr. Anupam Bansal, Advocate,
for the respondent.

MANJARI NEHRU KAUL, J. (Oral)

Instant petition has been filed under Section 439 of the Code of Criminal Procedure, 1908 for grant of regular bail to the petitioner in case FIR No.0114 dated 03.08.2020 registered under Section 394 and 34 of the Indian Penal Code, 1860 at Police Station Maloya, Chandigarh.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the case in question due to some misguided suspicion. He further submits that even a perusal of the FIR reveals that neither was the petitioner named nor any specific role was attributed to him, *much less*, of causing any injury on the person of the complainant on whose autorickshaw the petitioner and his accomplices were travelling at the time of the alleged occurrence.

Learned counsel for the petitioner submits that the petitioner has been in custody since 04.08.2020 and the trial is unlikely to

conclude in the near future as only the challan has been presented so far.
Hence, he may be extended the concession of regular bail.

Per contra, learned State counsel, on instructions from ASI Anand Pandey, has submitted that the petitioner was apprehended at a *Naka* subsequent to the registration of the FIR in question. He submits that after the petitioner was apprehended, recovery of a mobile phone and wallet of the complainant which contained his photograph as well as photograph of his family was effected which left no manner of doubt about his involvement in the crime in question.

Heard.

In view of the aforesaid, no ground is made out for extending the concession of regular bail to the petitioner as only challan has been presented till date. Resultantly, this petition is hereby dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

January 15, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No