

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

223

CRM-M-44478-2021

Date of Decision : October 29, 2021

NIRMAL SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. S.K.Bokolia, Advocate
for the petitioner.

Mr. Karambir Singh, AAG, Punjab.

Through Video Conferencing

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.89 dated 26.8.2021 under Sections 379-B, 148, 149 IPC (Sections 420, 182, 199, 203 IPC were added later on and Sections 379-B, 148, 149 IPC were reduced vide Rapat no. 40 dated 26.8.2021), Police Station Mehna, District Moga.

The learned counsel for the petitioner has submitted that the petitioner is in custody since 26.8.2021 and the investigation of the case is already complete and the challan has been presented. He has further submitted that no recovery is to be effected from the petitioner and the petitioner is not involved in any other case. He has submitted that it is a case where the petitioner himself has lodged the complaint with regard to the snatching of the money but thereafter the name of the petitioner has been nominated as an accused. He submitted that the petitioner is not involved in any other case and the trial of the case would take long time and, therefore, he may be considered for the grant of regular bail.

On the other hand, the learned State counsel has submitted that it is correct that the petitioner is in custody from 26.8.2021 and there is no other case against the petitioner and the investigation of the case is already complete and the challan has already been presented and no recovery is to effected from the petitioner. He, however, submitted that there was a recovery of Rs.47,000/- from the petitioner.

I have heard learned counsels for the parties.

The custody period of the petitioner is not in dispute. It is also not in dispute that the petitioner is not involved in any other case and the investigation of the case is already complete and the challan has already been presented and no recovery is to be effected from the petitioner. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper with any evidence or may flee from justice.

In view of the above, this Court deems it fit and proper to grant bail to the petitioner.

Consequently, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate.

(JASGURPREET SINGH PURI)
JUDGE

October 29, 2021
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No