

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-51663-2021
Date of Decision: 15.12.2021

Harnam Singh @ Happy

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Balbir Singh Jaswal, Advocate, for the petitioner.

Mr. Arun Kaundal, Deputy Advocate General, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.183 dated 18.10.2021, under Sections 379-B(2)/411/148/149 of IPC, registered at Police Station Kathunamgal, District Amritsar, Rural.

The learned counsel for the petitioner has submitted that in the present case the petitioner is in custody from 18.10.2021 and although the case is still at the investigation stage but as per the contents of the FIR, he alongwith the other co-accused had committed a theft of Rs. 500/- by threatening the complainant with Daater. He submitted that the other co-accused namely Harprit Singh has been granted bail vide Annexure P-3.

He submitted that the present case was planted upon the petitioner and even

otherwise the alleged offence pertains to Rs. 500/-. He submitted that the entire case was planted because the mother of the petitioner is Sarpanch of the village and the complainant belongs to the opposite party and it was purely because of political rivalry that the complainant with the connivance with the police have planted this present case against the petitioner. He further submitted that the petitioner is not involved in any other case and has clean antecedents. He has prayed for the grant of regular bail to the petitioner.

Mr. Arun Kaundal, learned Deputy Advocate General, Punjab has filed the custody certificate which is taken on record. He has stated that as per the custody certificate the petitioner is not involved in any other case. He has however opposed the grant of bail because the matter is at the investigation stage.

I have heard the learned counsel for the parties.

The petitioner is in custody from 18.10.2021 and as per the custody certificate and as per the learned State counsel, the petitioner has clean antecedents and has got no other case against him and the allegation in the FIR was pertaining to snatching of Rs. 500/- with a threat of Daater. The other co-accused has already been granted bail vide Annexure P-3.

Therefore, considering the aforesaid factual position, this Court deems it fit and proper to grant bail to the petitioner. Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as

an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

15.12.2021

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No