

218 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-4556 of 2022(O&M)

Date of Decision: 14.09.2022

Manpreet Singh @ Mani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Mayur Kakra, Advocate
For the petitioner.**

Mr. Jaspal Singh Guru, AAG Punjab.

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case having FIR No. 84 dated 27.06.2021, registered under Sections 392, 395, 427, 506, 148 and 149 IPC at Police Station Sadar Rajpura, District Patiala.

Learned counsel for the petitioner submits that as per the allegations appearing on the record the petitioner and his companions intercepted the car driven by Bhag Singh in which complainant Shiv Kumar was travelling. That the petitioner and his companions damaged the said car and snatched bag containing Rs.8500/- from the complainant. The counsel for the petitioner further submits that as per the prosecution version the petitioner was apprehended at the spot along with aforesaid bag containing cash. The counsel for the petitioner further submits that the petitioner is in

custody for the last more than 01 year and 02 months and is also involved in two other cases in which he has already been granted bail. The counsel for the petitioner further submits that the aforesaid complainant and driver Bhag Singh are examined during the trial and co-accused Baljit Singh @ Chhanga, Deep Singh @ Manna have already been granted bail. The counsel for the petitioner further submits that it will take time for the trial to conclude and as such no fruitful purpose is being served by keeping the petitioner behind the bars for any further period.

The present petition is opposed by the State counsel who submits that the petitioner was apprehended at the spot along with the bag containing cash worth Rs.8500/-, which was snatched by the petitioner from the complainant. However, the State counsel has not refuted the fact regarding custody period of the petitioner and that the material witnesses namely complainant Shiv Kumar and driver Bhag Singh are already examined during the trial and that some other co-accused have already been granted bail by this Court.

I have considered the submissions made by learned counsel for the parties.

As per the custody certificate furnished by the State counsel the petitioner is in custody for the last more than 01 year and 02 months and is also involved in another two criminal cases, but he is recorded to be on bail in both the said two cases. Recoveries in present case have already been effected. After completion of investigation, challan was presented, charges were framed and now trial is going on. As has been admitted by the State

apprehension that if released on bail the petitioner is going to influence them. Admittedly, out of total 14 prosecution witnesses only 04 have been examined till date and thus it will take time for the trial to conclude. Thus, no purpose is going to be served by prolonging the judicial custody of the petitioner.

Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

14.09.2022
Jiten

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No