

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-17440-2022

Date of Decision:-26.05.2022

Karamjit Singh @ Golu.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Deepak Gupta, Advocate for the Petitioner.

Mr. Sidamkeet Singh Sandhu, Assistant Advocate General,
Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The Prayer in this petition is for the grant of regular bail under Section 439 Cr.PC in case FIR No.03 dated 03.01.2022 under Sections 379-B IPC and later on added Section 411 IPC registered at Police Station Sadar Kotkapura, District Faridkot.

The brief facts of the case are that Veer Singh son of Kewal Singh got recorded the FIR to the effect that on 29.12.2021 while he was coming to his village on a motor cycle and stopped the same to answer the call of nature, two young persons with muffled faces came from behind, showed him a *kappa* and snatched away his mobile phone, purse, ATM Card etc.

The Counsel for the petitioner submits that petitioner is not named in the FIR, though his brothers have been named. He further submits that nothing has been recovered from the petitioner and the story of the prosecution is improbable and unnatural. The petitioner is in custody since 09.01.2022, 19 prosecution witnesses were to be examined, none of whom

have been examined till date. He further submits that except the present FIR, no other FIR stands registered against the petitioner and he had clear antecedents and, therefore, the petitioner was entitled to the concession of regular bail.

The Counsel for the State on the other hand contends that the offences of this kind are on the rise and the petitioner's family members have been named in the FIR and as such petitioner is not entitled to the concession of regular bail.

I have heard counsel for both the sides at length.

Admittedly, the petitioner is not named in the FIR and no recovery has been effected from him. As many as 19 prosecution witnesses are to be examined and till date even the charges have not been framed. The petitioner is in custody since 09.01.2022 and therefore, his further incarceration is not required.

Keeping in view the stage of trial , without commenting on the merits of the case, the present petition is allowed and the petitioner- **Karamjit Singh @ Golu** son of Sh. Harmel Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

If the petitioner indulges in similar offence for which he is currently charged, the State would be at liberty to move an application for cancellation of bail.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 26, 2022

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>