

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(220)

CRM-M-19474-2022

Date of decision: - 13.05.2022

Karamtej Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Ashish Gupta, Advocate,
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a first bail application under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.24 dated 28.02.2022, registered under Sections 379-B and 411 IPC, at Police Station Sadar Kot-Kapura, District Faridkot.

Learned counsel for the petitioner has submitted that in the present case, the petitioner has been falsely implicated as he was not present at the time of occurrence and even the alleged recovery has been made from co-accused Salman Khan during interrogation who has got recovered the alleged wallet and Aadhar Card and no recovery has been effected from the present petitioner. It is further submitted that the petitioner has been in custody since 28.02.2022 and the challan has already been presented in this case and there are total 10 prosecution

witnesses, none of whom have been examined, thus, the trial is likely to take some time. It is also submitted that the petitioner is not involved in any other case.

Learned State counsel, on the other hand, has opposed the present petition for regular bail and has submitted that the petitioner along with co-accused had snatched the wallet from the hands of the complainant.

This Court has heard learned counsel for the parties and has gone through the paper-book.

In the present case, the petitioner has been in custody since 28.02.2022 and the challan has already been presented and there are total 10 prosecution witnesses, none of whom have been examined and the petitioner is not involved in any other case. Moreover, no recovery has been effected from the petitioner and the recovery of the wallet as well as Aadhar Card has been made from co-accused Salman Khan. The fact as to whether the present petitioner was present at the time of the alleged occurrence or not, is a matter of debate, which would be finally adjudicated during the course of the trial.

Keeping in view the above-said facts and circumstances, more so, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail / surety bonds to the satisfaction of the concerned trial Court/ Duty Magistrate and subject to him not being required in any other case.

It is however made clear that in case the petitioner influences or threatens any witness, then it would be open to the State to move an

application for cancellation of bail of the petitioner.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

May 13, 2022
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(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No