

CRM-M-28079-2022

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

CRM-M-28079-2022 (O & M)

Date of decision: 16.09.2022

Karam Singh @ Karma

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Shvetanshu Goel, Advocate,
for the petitioner.

Mr. IPS Sabharwal, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

CRM-34503-2022

Allowed as prayed for. Annexure A-1 is taken on record,
subject to all just exceptions.

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Through this petition, the petitioner seeks regular bail in case
FIR No.181 dated 06.12.2021, registered at Police Station Sadar Jagraon,
Ludhiana, under Section 379-B IPC.

Learned counsel for the petitioner contends that the petitioner
has falsely been implicated in the present case; that complainant-Harjinder
Singh while appearing before the trial Court as PW 1, has not supported the
prosecution version and has been declared hostile, and that the petitioner
has been in custody since 06.12.2021. So far as FIR No.220 dated
01.07.2018, registered at Police Station Sadar Jagraon, under Section 20
NDPS Act, registered against the petitioner for possessing 04 gram *charas*,

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is concerned, he was fined for Rs.1000/-. There is no other case registered or pending against the petitioner, under Section 379-B IPC. On this premise, learned counsel prays that the petitioner be released on bail.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner alongwith co-accused had pointed a rod towards the complainant and snatched his mobile, and that mobile phone, iron rod and motor-cycle used in the commission of offence had been recovered from the petitioner and co-accused Sukhvir Singh alias Sukhpreet Singh.

I have heard the learned counsel for the parties.

Challan has already been presented. The complainant while appearing before the trial Court as PW 1, has not supported the prosecution version and has been declared hostile. Remaining prosecution witnesses are yet to be examined.

The petitioner has been in custody since 06.12.2021. Trial is unlikely to conclude any time soon. There is no other case registered or pending against the petitioner, at least of a similar nature. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

16.09.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No