

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

**CRM-M-29935-2022 (O&M)
Date of decision: 27.10.2022**

Sukhjinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. K.S. Brar, Advocate for the petitioner.

Mr. Subhash Godara, Addl. A.G. Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.91 dated 14.05.2022, registered at Police Station Sadar Fazilka, District Fazilka, under Sections 379-B and 120-B IPC.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that alleged occurrence took place on 07.05.2022 whereas the above-noted FIR was registered on 14.05.2022 i.e. after a delay of 07 days; that it was the complainant, who clicked the photographs and recorded the video of marriage of the petitioner, for which he was duly paid but the photographs and the video, have never been handed over to the petitioner and that the petitioner has been in custody since 28.05.2022.

Learned counsel for the petitioner further submits that the challan has been presented against the petitioner and his mother (Raj Rani) and that co-accused Raj Rani, has already been granted anticipatory bail by this Court.

Learned State counsel, while vehemently opposing the prayer for

bail, submits that the petitioner along with two other co-accused actively participated in the occurrence and they had fled away from the spot after snatching the bag containing the cameras and other items from the complainant and that the injuries suffered by the complainant were later on declared blunt. However, he does not dispute the custody period of the petitioner. He submits that none of the prosecution witnesses has been examined as yet and that co-accused Harpreet Singh is yet to be arrested.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 28.05.2022. There is a delay of 07 days in lodging the FIR. Co-accused Raj Rani, mother of the petitioner is already on anticipatory bail. The injuries on the person of the complainant were later on declared blunt. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Hence, 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 petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

Since the FIR was registered on 14.05.2022 and co-accused Harpreet Singh has not been arrested as yet, ASI Bhupinder Singh, Investigating Officer, shall remain present in this Court on 10.11.2022.

(HARNARESH SINGH GILL)
JUDGE

27.10.2022
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No