

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

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CRM-M-32731-2022

Date of Decision: 02.08.2022

Harpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. A.S.Manaise, Advocate,
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab,
assisted by ASI Raj Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.114 dated 12.09.2021 at Police Station Kulgari, District Ferozepur, under Sections 379B/34/201 IPC.
2. The FIR in question was lodged at the instance of Basant Singh, wherein it is alleged that on 12.09.2021, when he was returning home on his motorcycle, then at about 4:30 p.m., two boys way laid him and they forcibly took out Rs.1,400/- and a mobile phone from his pocket. It is alleged that one of the boys also took out the key of his motorcycle and threw the same in minor canal. The complainant identified the said boys as Harpreet Singh (petitioner) and Dattu.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that there is no credible evidence to substantiate the allegations levelled in the FIR.
4. Opposing the petition, learned State counsel has submitted that the petitioner is specifically named in the FIR and there are specific allegations against him. It has also been submitted that the petitioner happens to be involved in 2 more cases. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 10 months. It has been informed that while charges have been framed, but none of the cited 9 PWs has been examined so far.
5. I have considered rival submissions addressed before this Court.
6. Without commenting anything as regards merits of the case, but while noticing that the petitioner has been behind bars for a substantial period of 10 months and the trial has not even commenced till date, further detention of the petitioner will not be justified. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

02.08.2022

Vimal

**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**