

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

214

CRM-M-46914-2021

Date of Decision : May 12, 2022

SAJID

.....Petitioner

VERSUS

STATE OF U.T. CHANDIGARH

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. A.P.Kaushal, Advocate for the petitioner.

Mr. Sumit Jain, APP with
Mr. Dushyant Rana, Advocate
for the UT Chandigarh.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.4 dated 27.1.2021 under Sections 394, 397, 34 IPC, registered at Police Station Sector-49, Chandigarh.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody from 29.1.2021 which is almost 1½ years and the investigation of the case has been completed. He submitted that it is a case where the allegations against the petitioner and the other co-accused are that they have snatched Rs.500/- and ear rings from the complainant and in fact the petitioner has been falsely implicated in the present case and during the course of trial the complainant has been examined and has not identified the petitioner and has turned hostile. He further submitted that the petitioner has clean antecedents and he is not involved in any other case.

On the other hand, the learned State counsel has submitted that it is correct that the petitioner is in custody from 29.1.2021 and it is also correct that the petitioner is not involved in any other case. He further submitted that it is also correct that the complainant has been examined before the learned trial Court and has turned hostile.

I have heard the learned counsels for the parties.

The petitioner is in custody from 29.1.2021 which is almost 1½ years and the complainant who had alleged the snatching of Rs.500/- and earring has turned hostile. The petitioner is not involved in any other case and the trial of the case may take long time.

In view of the aforesaid position, this Court deems it fit and proper to grant bail to the petitioner.

Consequently, the petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

May 12, 2022

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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No