

IN THE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH

244

CRM-M-49280-2022

Date of Decision: November 29, 2022

Jang Bahadar @ Jung Bahadur

-----Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rahul Kumar Adia, Advocate

Mr. Kunal Vinayak, AAG, Punjab.

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.79 dated 16.07.2022 under Sections 379-B, 411, 149 IPC registered at Police Station Chabewal, District Hoshiarpur.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody for about 4 months and 10 days and the Police has already completed the Investigation and the challan has been presented before the competent Court. He has further submitted that petitioner is not a habitual offender and is not involved in any other case and even otherwise also, the allegations in the present case were with regard to the alleged theft of one Mobile Phone, Rs.2,000/- from one of the complainants, namely, Baljinder Kumar and Rs.1200/- and one gold chain from the complainant, namely, Surjit Singh. He has further submitted that the petitioner has been falsely implicated in this case since there was a pre-existing financial dispute between the complainants and the other co-accused. He has further submitted that the other co-accused, namely

Yogesh Kumar @ Yogesh Kumar Sidhu, Tajinder Pal, Som Nath and Jagtar

Singh have already been granted regular bail by this Court and the petitioner is at parity with the aforesaid co-accused. He further submitted that apart from same, a compromise has been effected between the parties and the quashing petition based on the said compromise has also been filed before this Court, which is pending.

Mr. Vinayak, learned AAG, Punjab has submitted that it is correct that the petitioner has faced the incarceration for about 4 months and 10 days and is not involved in any other case. He has further submitted that it is also correct that the aforesaid four accused who are at parity with petitioner, have already been granted regular bail by this Court.

I have heard learned counsel for the parties.

The petitioner has already faced the incarceration for about 4 months and 10 days. The investigation of the case has been completed. The parties are stated to have entered into a compromise and even quashing petition based on the compromise has been filed before this Court.

In view of the aforesaid facts and circumstances, the present petition is allowed. The petitioner shall be released on bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/duty Magistrate concerned.

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

29.11.2022
Atul

Whether speaking/ reasoned -	Yes/No
Whether reportable -	Yes/No