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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-53770-2022
Date of Decision: 24.11.2022

BEANT SINGH ALIAS LADEN

....Petitioner(s)

Versus

STATE OF PUNJAB

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. A.K. Khunger, Advocate, for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No. 0287 dated 30.10.2021, under Sections 379-B and 380 IPC, registered at Police Station Sadar Fazilka, District Fazilka.

Learned counsel for the petitioner has submitted that the petitioner is in custody from 31.10.2021 and in fact 4 witnesses have already been examined in the present case including the complainant. He submitted that the petitioner has been falsely implicated in the present case and the complainant has specifically so stated at the time of trial that he does not identify the culprits and there had been no snatching from him and the complainant himself did not support the prosecution version and was consequently declared as hostile. He further submitted that all the

material witnesses including the complainant has already been examined. He further submitted that the similarly situated co-accused namely Ronit @ Kakku and Harmandeep Singh have been extended the benefit of regular bail by this Court in CRM-M-23482-2022 on 20.09.2022 vide Annexure P-2 and the petitioner is at parity with the aforesaid co-accused. He further submitted that in view of the facts and circumstances, he may be considered for the grant of regular bail.

On the other hand, Mr. Amit Rana, learned Senior Deputy Advocate General, Punjab. has submitted that it is correct that the petitioner is in custody from 31.10.2021 and all the material witnesses including the complainant have been examined and the complainant has not supported the prosecution version and it is also correct that the other co-accused who are at parity with the petitioner have been extended the benefit of regular bail by this Court. He has however opposed the grant of regular bail to the petitioner on the ground that the petitioner is involved in 4 more cases.

I have heard the learned counsel for the parties.

The petitioner is in custody from 31.10.2021. As per the learned counsel for the parties, four witnesses including the complainant have been examined who has stated that no snatching has been done from him and he did not support the prosecution version and was declared as hostile. The other co-accused namely, Ronit @ Kakku and Harmandeep Singh have been extended the benefit of regular bail by this Court. The objection taken by the learned State counsel that the petitioner is involved

in 4 more cases does not carry weight in view of the aforesaid facts and circumstances as stated above. Furthermore, it is not the case of the State that in case the petitioner is released on bail, then he may influence any witness or may tamper with evidence or may flee from justice.

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

Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

24.11.2022

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No