

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-2073-2023 (O&M)
Date of decision: 19.07.2023

Rajat Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. G.S. Randhawa, Advocate for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 207 dated 30.11.2022, registered under Sections 379-B, 34 IPC and Section 411 IPC added later on, at Police Station City Nawanshahar, District SBS Nagar.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that no such occurrence, as alleged in the FIR, took place; that the petitioner has been in custody since 30.11.2022; that complainant-Zeba (PW-1) and Mohd. Nur Alam (PW-2), whose statements were recorded on 30.11.2022, have been declared hostile on 31.05.2023 and that co-accused Amit Kumar, has already been granted regular bail.

Learned State counsel, while vehemently opposing the prayer for bail submits that there are serious allegations against the petitioner and co-accused and recovery of gold chain was effected from the petitioner. However, he does not dispute the custody period of the petitioner and that PW-1 and PW-2 have been declared hostile.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 30.11.2022. complainant-Zeba (PW-1) and Mohd. Nur Alam (PW-2), whose statements were recorded on 30.11.2022, have been declared hostile on 31.05.2023 and that co-accused Amit Kumar, has already been granted regular bail. 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.

(HARNARESH SINGH GILL)
JUDGE

19.07.2023
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No