

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

222

CRM-M-3109-2023

Date of decision: 25.01.2023

Maninder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Kulwinder Singh, Advocate for
Mr. S.S. Sarwara, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

This is the first petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.249 dated 01.12.2022 lodged under Sections 379-B, 411 and 34 of the Indian Penal Code, 1860 registered at Police Station Kotwali, Patiala.

Learned counsel for the petitioner contends that a false case has been planted upon the petitioner on the allegations that he along with co-accused Jagdeep Singh snatched the bag of the complainant which was containing Rs.15,000/- and some other important documents. He submits that in fact the petitioner had no role to play in the crime in question and had been nominated as an accused on the basis of disclosure statement of co-accused Jagdeep. He further submits that no recovery of any purse or any other article allegedly snatched from the complainant was effected from him. Learned counsel submits that there is no likelihood of the trial concluding in the near

future as charges have also not yet been framed and in the circumstances, his further incarceration would serve no useful purpose.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions has not disputed that the petitioner was nominated as an accused pursuant to the disclosure statement made by co-accused Jagdeep and still further no recovery was effected from. He, however, submits that recovery of one mobile phone was effected from the possession of the petitioner which, however, did not belong to the complainant.

I have heard learned counsel for the parties and perused the material placed on record.

The petitioner has been in custody since 05.12.2022 and the trial shall take considerable time to conclude. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

Accordingly, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

25.01.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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