

RAMANDEEP SINGH

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Ms. Amanpreet Kaur, Advocate for
Mr. Sameer Mahajan, Advocate for the petitioner.
Ms. Ruchika Sabherwal, DAG Punjab.

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VIVEK PURI, J. (ORAL)

Petitioner has prayed for grant of regular bail in case FIR No. 39 dated 04.08.2022, registered under Section 379B and 34 IPC at Police Station Mattewal, Amritsar Rural.

Custody certificate has been taken on record.

Briefly, the FIR has been registered on the allegations that on 04.08.2022, the complainant who is the employee of Bharat Finance was returning back on a motor-cycle after making collection of the installments. 4/5 unknown persons waylaid him and snatched a sum of Rs. 3,06,493/- along with RC of the motor-cycle, mobile phone, samsung tablet and biometric machine.

Learned counsel for the petitioner contends that the petitioner is in custody for a period of 5 months and 21 days and not involved in any other case. Harman Singh, the brother of the petitioner has been granted concession of anticipatory bail and he has already compensated the complainant with a sum of Rs. 50,000/-. Although, a sum of Rs. 13,000/-

and *datar* has been recovered from the possession of the petitioner but it is a case of 'no injury'.

Learned State counsel, on instructions of ASI Jarnail Singh, has not disputed the aforesaid factual aspects and further contends that the investigation qua the petitioner has been concluded and challan has been presented but the charge is yet to be framed.

Be that as it may, the petitioner is in custody for a period of 5 months and 21 days and not involved in any other case. The investigation of the case is complete and challan has been presented. Although, *datar* has been allegedly recovered from the possession of the petitioner but there is nothing to indicate that the same was used at the time of occurrence. The conclusion of trial is likely to take some more time and no fruitful purpose would be served by detaining the petitioner in further custody.

As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing fresh bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

28.02.2023

Janki

**(VIVEK PURI)
JUDGE**

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