

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

218

CRM-M-8340-2023

Date of decision: 27.03.2023

Hanook Masih

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Satbir Rathore, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.329 dated 23.12.2022 under Section 379-B of the IPC (Section 411 of the IPC added lateron) registered at Police Station Tanda, District Hoshiarpur.

Learned counsel for the petitioner submits that a false and fabricated case has been planted upon the petitioner for allegedly snatching the bag of the complainant which contained ₹3,500/- and other documents. He submits that the petitioner has clean antecedents and is not involved in any other criminal case much less a case of similar nature. It has been submitted that since challan has not yet been presented, there is no likelihood of the trial concluding in the near future.

Per contra, learned State counsel on instructions has not

been able to controvert the submissions made by the counsel opposite that the petitioner is not involved in any other criminal case much less a case of similar nature. Learned State counsel, however, submits that recovery of the bag which was allegedly snatched by the petitioner from the complainant was effected from his possession. Learned State counsel has further submitted that challan is likely to be presented in the near future.

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

The petitioner has been in custody since 24.12.2022 and since challan has not yet been presented, there is no likelihood of the trial concluding in the near future. 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.

27.03.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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