

253 **IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH**

**CRM-M-8188-2023
Date of Decision: 19.05.2023**

Robin Saini

...Petitioner

V/S

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Munish Puri, Advocate
for the petitioner.

Mr. Digvijay Nagpal, AAG, Punjab.

DEEPAK MANCHANDA J. Oral

Instant petition has been filed under Section 439 Cr.P.C. seeking regular bail in the case bearing FIR No.75 dated 22.08.2022 registered under Section 379-B, 34, 411 (Added later on) at Police Station Sadar District Pathankot.

Custody certificate dated 17.05.2023 has been filed by State, which is taken on record.

Learned counsel for the petitioner contends that the petitioner was firstly involved in FIR bearing No.108 dated 25.08.2022 under Sections 379-B, 34 of IPC Police Station Sujampur District Pathankot and was arrested on 28.08.202 in that FIR. He submits that the present FIR was registered on the complaint of wife of the complainant, namely, Neelam. Learned counsel further submits that the petitioner has been involved in two more unknown FIRs with the aid of disclosure statement whereas the petitioner is not involved in any of the snatching and FIR No.108 was lodged after a gap of 23 days. He submits that local police officials started demanding the custody of petitioner so that they could illegally involve the

petitioner in unknown FIRs to solve their pending cases. He submits that the recovery in the present case has already been effected from co-accused and no useful purpose would be served by keeping the petitioner behind the bars as challan has already been presented on 08.02.2023 but the charges have not been framed so far. He prays for grant of regular bail.

On the other hand, learned State Counsel on instructions from the Investigating Officer has opposed the aforesaid prayer on the ground that the petitioner is involved in two other cases, however, does not dispute that the challan stands presented but the charges have not been framed so far.

Having heard learned counsel for the parties and gone through the case file and custody certificate filed by learned State counsel, it is significant to note that the petitioner is in custody for a period 4 months and 29 days. Further investigation of the case has also been completed and challan stands presented but the charges have not been framed. Therefore, no useful purpose would be served by keeping the petitioner in further incarceration.

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 requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

19.05.2023
sapna

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