

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

CRM-M-11203-2023
Date of Decision:-**24.05.2023**

MANJIT SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. Lokesh Vohra, Advocate for the petitioner.

Mr. Hakam Singh, AAG, Punjab.

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KARAMJIT SINGH, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.133 dated 12.6.2022 registered under Sections 394, 323, 34 IPC (Sections 212, 281, 341, 411, 201 of IPC and Section 21 of NDPS Act added later on) at Police Station City, District Sri Muktsar.
2. The allegations in nut-shell are that on 11.6.2022, the complainant had gone to collect money from different persons in the area of Sri Muktsar Sahib and he made collection of Rs.1,80,000/- and then put it in a bag and at about 2 pm, he was going towards bus stand in an auto rickshaw and in the meantime, 3 unknown young boys having muffled faces riding on a motorcycle came near his auto rickshaw and one of them tried to snatch his bag and when the complainant resisted, his

accomplices attacked him with *Kappa*, but the said miscreants succeeded in snatching the bag of the complainant then they fled away from there. With regard to the aforesaid incident, FIR was registered against 3 unknown persons and during investigation co-accused Raj Kumar was arrested. The name of the petitioner surfaced in the disclosure statement of Raj Kumar and consequently he was arrested on 14.6.2022.

3. The counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case and no incriminating article was recovered from his possession. The counsel for the petitioner further submits that co-accused Raj Kumar has been already granted regular bail vide order dated 18.11.2022 (Annexure P-2) and one another accused Sukhwinder Singh is also granted regular bail vide order dated 5.5.2023. The counsel for the petitioner further submits that the petitioner is in custody for the last more than 11 months and the complainant stands examined but it will take considerable time for the trial to conclude, so prayer is made that the petitioner be released on regular bail.
4. Status report by way of affidavit of Mr. Avtar Singh, DSP, Sub-Division Sri Muktsar Sahib, District Sri Muktsar Sahib filed on behalf of the State along with report FSL report (Annexure R-1) are ordered to be taken on record.
5. The instant petition is resisted by the State counsel, who submits that the petitioner was arrested in this case on 14.6.2022 on the basis of disclosure statement made by co-accused Raj Kumar. However, the

State counsel has not disputed the fact that aforesaid Raj Kumar has been already granted regular bail by this Court vide order Annexure P-2 and further during trial complainant has been examined. The State counsel has not disputed the fact that it will take considerable time for the trial to conclude.

- 6. I have considered the submissions made by counsel for the parties.
- 7. Admittedly FIR in this case was registered against 3 unknown persons and petitioner was later on impleaded as accused in the present on the basis of disclosure statement of Raj Kumar, who has already been enlarged on bail. The petitioner is in custody since last about 12 months and the complainant in the present case has already been examined. So there is no apprehension that if released on bail, the petitioner is going to influence the complainant/victim.
- 8. In view of the above, as it will take considerable time for the trial to terminate, no fruitful purpose is going to be served by prolonging judicial custody of the petitioner for indefinite period.
- 9. Thus, without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

24.05.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

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