

220 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-12767-2023

Date of Decision: 04.10.2023

Manpreet Singh @ Manna

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr.Karanjeet Singh Brar, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.96 dated 26.10.2021 registered under Sections 379-B, 34 of IPC, at Police Station Sadar Abohar, District Fazilka.

2. The FIR in the present case was got registered by Naresh Kumar son of Rajinder Kumar by alleging that at about 12.30 p.m. on 24.10.2021, he was heading towards Abohar and when he reached on the bus stand of the village, two young boys riding a motorcycle waylaid him and snatched his mobile phone No.99157-23553 and the pillion rider snatched his kit, carrying Rs.17,800/-. Later on, on his inquiry, he came to know about the names of snatchers as Manpreet Singh @ Manna, petitioner and Vikas Kumar @ Sheru.

3. Learned counsel for the petitioner submits that as per the case of the prosecution, the alleged occurrence had taken place at about 12.30 p.m. on 24.10.2021, whereas, the FIR in the present case has been got registered by the complainant after a delay of two days by coining a false version. He further

contends that mentioning of names of alleged snatchers by the complainant in the FIR itself, raises doubt about the genuineness of the allegations levelled in the present FIR. Learned counsel further contends that he was arrested in the present case on 26.10.2021 and is in custody for the last more than 01 year and 10 months. The prosecution has already examined 09 witnesses, out of 16 witnesses and the conclusion of the trial may take quite a long time.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that specific allegations have been levelled against the present petitioner and two more cases were also registered against the present petitioner. However, he admits that in one case, the petitioner has already been acquitted on 29.11.2018 and he is on bail in the other case.

5. I have heard learned counsel for the parties and perused the record.

6. The petitioner was arrested in the present case on 26.10.2021 and the petitioner is incarcerated for over 01 year and 10 months. Still further, the prosecution has been able to examine only nine witnesses so far and the trial proceedings may take quite a long time. Thus, further custody of the petitioner will serve no meaningful purpose.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

04.10.2023

hemlata

(N.S.SHEKHAWAT)
JUDGE

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