

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M No.14589 of 2023  
Date of decision: 20<sup>th</sup> July, 2023

Harjot Singh

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Naveen Bawa, Advocate for the petitioner.

Mr. Amit Rana, Sr. Deputy Advocate General, Punjab  
for the respondent/State.

**MANJARI NEHRU KAUL, J. (ORAL)**

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.138 dated 25.11.2022 under Sections 379-B, 34 IPC (Section 411 IPC added later on) registered at Police Station Shimlapuri, District Ludhiana.

2. Learned counsel for the petitioner inter alia submits that the petitioner has been falsely implicated in the case in hand for allegedly snatching Camera of the complainant while he along with his uncle was riding a motorcycle. Learned counsel submits that FIR was registered against unknown persons and it was two days thereafter, on the basis of some secret information, the petitioner was nominated as an accused in the case in hand and recovery of the complainant's Camera was shown to have been effected from him. Learned counsel further submits that the petitioner has clean antecedents as he is not involved in any other

criminal case, much less a case of similar nature. It has also been submitted that after the petitioner was arrested on 27.11.2022, prosecution evidence has not yet begun, and hence, the trial will take a long time to conclude. A prayer has, therefore, been made for extending the concession of bail to the petitioner, as his further incarceration would serve no useful purpose.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from SI Kuldeep Singh has submitted that no doubt FIR was registered against unknown persons, however, the complainant identified the petitioner and pursuant thereto the recovery of Camera, which had been snatched from the complainant, had been effected from him. Learned State counsel has, however, not been able to dispute that the petitioner is not involved in any other criminal case, much less a case of similar nature. He has further submitted that the next date of hearing fixed before the trial Court is 19.08.2023, when the prosecution evidence is likely to commence.

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

5. The petitioner has now been in custody since 27.11.2022 and there is no likelihood of the trial concluding in the near future as prosecution evidence has not yet commenced. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail to the petitioner. The petition as such is

allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. 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.

(MANJARI NEHRU KAUL)  
JUDGE

July 20, 2023  
*rps*

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |