

IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH

225

CRM-M-17273-2023 (O&M)

Date of Decision: 07.08.2023

KARAN KUMAR @ KARANBIR @ KARAN

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Rahul Rampal, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.12 dated 22.01.2023, registered under Sections 379-B(2), 34, 411 IPC, at Police Station Sadar Ludinana, District Ludhiana.

Status report by way of an affidavit dated 10.07.2023 of the ACP, Ludhiana (South), filed on behalf of the respondent-State, in the Registry, is taken on record.

Learned counsel for the petitioner submits that the alleged occurrence took place on 17.01.2023, whereas the FIR was registered on 22.01.2023 i.e. after a delay of about 5 days; that as per the complainant, he has investigated the matter on his own and thereafter, named the petitioner and the co-accused; that the petitioner has been in custody since 24.01.2023; that the alleged recovery has already been effected and that there is no other case registered and/or pending against the petitioner.

He further submits that out of total 13 prosecution witnesses, none has been examined.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, does not dispute the custody period of the petitioner. He, however, submits that the petitioner accompanied with the co-accused have snatched mobile phone and cash amount of Rs.1,000/- from the complainant, who originally belongs to Odisha and has been working in Ludhiana. He further submits that the material witnesses are yet to be examined and, thus, the petitioner be not granted the concession of regular bail.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 24.01.2023. There is no other case registered and/or pending against the petitioner. Recovery has already been effected. FIR was lodged after a delay of about 5 days. Prosecution evidence is yet to commence. Trial is unlikely to conclude any time soon.

In view of the above, this Court finds that no useful purpose would be served by keeping the petitioner behind the bars. Resultantly, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

07.08.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

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