

(214)

2023:PHHC:076820

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

CRM-M-17627 of 2023

Date of Decision: May 26, 2023

Manoj Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Mikhail Kad, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Petitioner is praying for regular bail in case FIR No.163 dated 19.08.2022 registered under Sections 379-B(2), 120-B, 212 (offence under Sections 411, 465, 467, 468 and 471 IPC added later on) at Police Station City Sangrur, District Sangrur.

Allegations are that a secret information was received to the effect that 7-8 persons had formed a gang for committing snatching gold ornaments from ladies and old people and these gang members used to stay in the poultry farm house of Malkit Singh. Name of the petitioner is also included amongst those gang members.

It is submitted that petitioner has been falsely implicated; that there are no allegations that any person with whom alleged snatching was committed ever got reported to the police. It is also submitted that Co-accused Dalip Singh, Malkit Singh and Amit Kumar have already been allowed bail by this Court by way of orders dated 31.01.2023, 18.01.2023 and 10.02.2023 respectively, copies of which have been placed on record.

Notice of motion.

Mr. R.S. Khaira, DAG, Punjab, accepts notice on behalf of the respondent- State.

Status report by way of affidavit of Ajaypal Singh, Deputy Superintendent of Police, Sub Division, Sangrur on behalf of the respondent- State has been filed. Copy supplied. Custody certificate has also been filed.

Learned State Counsel submits that FIR No.157 dated 09.08.2022 under Sections 379-B, 34 IPC was registered against the petitioner at Police Station City Sangrur and that recovery of gold chain was effected from him. However, perusal of the status report reveals that petitioner was not named in the FIR No.157 dated 09.08.2022 referred by learned State Counsel, rather it was registered against unknown persons. Learned State Counsel concedes that in fact the petitioner was later on nominated in that FIR by the co-accused.

As per custody certificate placed on record, petitioner is in custody in this case for the last 4 months and 8 days.

Having regard to the aforesaid factual position, but without commenting anything further on the merits of the case, petitioner is admitted to regular bail and he is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Illaqa Magistrate concerned.

Disposed of.

May 26, 2023

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(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No