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

**CRM-M No. 19671 of 2023
Date of Decision: 31.05.2023**

Robin Kumar @ Kalu @ Ravan

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Narinder S. Lucky, Advocate for petitioner.

Mr. Mohit Thakur, AAG, Punjab

.....

SANJIV BERRY, J. (ORAL)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in FIR No.67 dated 29.12.2022 under Sections 323 and 379-B of IPC registered at Police Station Hajipur, District Hoshiarpur (Annexure P-1).

2. It has been contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He submitted that a false story has been cooked up to involve the petitioner therein as is evident from the perusal of the FIR wherein the names of all accused with precision have been mentioned by the complainant. Although they are not known to each other nor they are inhabitant of the same area. He submitted that the petitioner is in custody since 29.12.2022 and the challan against the petitioner has already been presented in the Court.

3. The learned State Counsel has placed on record the status report

in the form of the affidavit of Deputy Superintendent of Police Sub Division Mukerian, District Hoshiarpur dated 11.05.2023, and stated that the challan has been presented in the Court. He argued that considering the gravity of the offence the petitioner is not entitled to concession of bail.

4. After considering the rival contentions, it transpires that in the present case the allegations against the petitioner are that he along with co-accused had waylaid the complainant and snatched the purse and watch from him. Recovery of ₹3500/- has been effected from the petitioner. There is another case registered against the petitioner, however he is stated to be on bail in that case. The petitioner is in custody since 29.12.2022. Admittedly, after completion of investigation, the challan against the petitioner had already been presented in Court after completion of investigation, so no purpose would be served by detaining him in custody any longer.

5. In view of the facts and circumstances, without commenting on the merits of the case the petition is hereby disposed of, and the petitioner is ordered to be admitted to bail on his furnishing bail bonds to the satisfaction of learned CJM/Duty Magistrate concerned. The petitioner is further directed to appear regularly before trial Court; and not to leave the country without prior permission of the Court; not to tamper with evidence of prosecution in any manner.

6. Anything stated here in above, shall not be construed as the opinion of this Court on merits of the case.

(SANJIV BERRY)
JUDGE

31.05.2023

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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No