

CRM-M-21490-2023 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-21490-2023 (O&M)
Date of Decision:-08.06.2023

Ajay Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON’BLE MR. JUSTICE ALOK JAIN

Present: Mr. Ankit Kharbanda, Advocate for the petitioner.

Mr. Siddharth Attri, AAG, Punjab assisted by
ASI Babu Masih

ALOK JAIN, J. (Oral)

CRM-23945-2023

1. The present application has been filed seeking preponement of the date of hearing in the main petition which has been listed for 04.07.2023 on the ground that the co-accused has been granted bail.

2. In light of the averments made in the application, the same is allowed and the main case is taken on Board today itself.

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1. The present petition has been filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No. 0019 dated 08.04.2022 under Sections 379-B (2), 411 and 34 of the Indian Penal Code (Section 411 of IPC added later on) registered at Police Station Airport,

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Amritsar.

2. Learned counsel for the petitioner submits that the entire story narrated in the FIR is wrong and incorrect and a small brawl has been converted into criminal proceedings. He submits that the petitioner has been falsely implicated in the present case and there is no involvement of the petitioner in committing the alleged offence of snatching. There is no recovery effected from the petitioner who is in custody for last more than 01 year 02 months.

3. Learned State counsel has filed the custody certificate, which is taken on record, subject to all just exceptions and submits that a sum of Rs.4,000/- has been recovered from the petitioner, which demonstrates that he was involved in the case, however, could not deny the fact that there is no other case against the petitioner who is a young boy of 22 years.

4. After hearing learned counsel for the parties and the fact that all the material witnesses have been examined and the petitioner is in custody for more than 01 year and the fact that the trial is likely to take long time, no useful purpose would be served by keeping the petitioner in custody, therefore, the petitioner has made out a case for grant of concession of regular bail.

5. Without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. He shall, however, be released on the following conditions:

1. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
2. He will not switch off his mobile and in case of any technical glitch, he

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has to give an alternate number, which will be available in his absence.

- 3. He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- 4. He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.

6. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

08.06.2023
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(ALOK JAIN)
JUDGE

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No