

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

221

CRM-M-24349-2023

Date of decision: 21.07.2023

Mukesh Kumar @ Nazar

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present : Mr. Dixit Raj Kapoor, Advocate  
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

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

1. The petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.39 dated 06.05.2018 under Sections 379B and 411 of the Indian Penal Code, 1860 registered at Police Station Lahori Gate, Patiala, District Patiala.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in hand for allegedly snatching ₹1,060/- from the complainant when he had gone to buy vegetables. Learned counsel submits that the FIR in question was registered way back on 06.05.2018 and the trial had not yet concluded as prosecution evidence was still underway. A prayer has, therefore, been made to enlarge the petitioner on bail.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite on instructions from ASI Raghbir Singh, has submitted that the petitioner is involved in 03

other criminal cases, however, he is on bail in all those cases.

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

5. The petitioner has been in custody since 06.12.2022 and the trial will take some time to conclude as prosecution evidence is yet to commence. In the facts and circumstances as enumerated hereinabove, this Court deems it appropriate to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the Trial Court/Duty Magistrate concerned. 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.

7. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

21.07.2023

Vinay

(MANJARI NEHRU KAUL)  
JUDGE

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