

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

CRM-M No.25076 of 2023
Date of decision: 22nd May, 2023

Komaljit Singh @ Noor

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. O.P. Kamboj, Advocate for the petitioner.

Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.206 dated 25.12.2022 under Sections 379-B, 34 IPC (Section 341 IPC added later on) registered at Police Station Kamboj, District Amritsar Rural.

Learned counsel for the petitioner inter alia submits that totally false allegations have been levelled that the petitioner along with co-accused Gagandeep Sharma had waylaid the complainant on 24.12.2022 at about 12.30 in the night and thereafter snatched his mobile along with ₹ 1000/-. Learned counsel submits that on the face of it, it is a case of false implication as the petitioner has clean antecedents and is not involved in any other criminal case, much less a case of similar nature. It has been further submitted that the petitioner has now been in custody since 25.12.2022 and investigation in the case is complete as challan stands presented. Still further, he submits that there

is no likelihood of the trial concluding anytime in the near future as charges have not yet been framed.

Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions has submitted that at the time of the alleged occurrence the petitioner was armed with a Datar and the mobile, which was snatched from the complainant, was also recovered from him. Learned State counsel has further submitted that the charges are likely to be framed on the next date of hearing fixed before the trial Court i.e. 29.05.2023. He has however, not been able to dispute that the petitioner is not involved in any other criminal case, much less a case of similar nature.

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

The investigation in the case in hand is complete as challan stands presented. The petitioner has been in custody since 25.12.2022 and charges are likely to be framed on 29.05.2023. The trial therefore shall take considerable time to conclude. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. 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.

(MANJARI NEHRU KAUL)
JUDGE

May 22, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No