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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-32492-2023
Date of Decision: 13.07.2023

Sajan Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Sukhbir Maandi, Advocate,
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.27 dated 01.03.2023, under Section 379-B & 34 IPC (Section 411 IPC added later on), registered at Police Station A-Division, Amritsar, District Police Commissionerate Amritsar.
2. Learned counsel for the petitioner has submitted that the petitioner is in custody since 01.03.2023 and the investigation of the case has already been completed and thereafter, challan has also been presented before the competent Court. He further submitted that the petitioner does not have any criminal antecedents and is not involved in any other case and in fact the petitioner was arrested on the basis of some secret information against the petitioner. He also submitted that the petitioner has been falsely

implicated in the present case and even otherwise also the subject matter of the present case is pertaining to theft of one mobile phone and considering his background wherein he is not involved in any other case, he may be considered for the grant of regular bail.

3. On the other hand, Mr. Rajiv Verma, learned Deputy Advocate General, Punjab, has submitted that it is correct that the petitioner is in custody since 01.03.2023 and after the completion of investigation of the case, challan has been presented before the competent Court. He further submitted that it is also correct that the petitioner is not involved in any other case and he is not a habitual offender.

4. I have heard the learned counsels for the parties.

5. The petitioner is in custody since 01.03.2023. The investigation of the case has been completed and challan has also been presented before the competent Court. The petitioner is stated to be not a habitual offender and is not involved in any other case, as per the learned counsels for both the parties. The subject matter of the present case is only one mobile phone. The trial of the case may take long time. Furthermore, it is neither the case of the State nor it has been argued by the learned State counsel that in case the petitioner is released on bail then he may abscond or flee from justice or may influence the witness or may tamper with the evidence. Therefore, considering the aforesaid facts and circumstances of the case, this Court deems it fit and proper to grant bail to the petitioner.

6. Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in

any other case.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

13.07.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |