

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CRM-M No.34677 of 2023 (O&M)
DATE OF DECISION: 17th NOVEMBER, 2023

Saif Ali Khan

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Jasbir Singh Dadwal, Advocate
for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.31 dated 11.02.2023 registered under Sections 454, 380 and 411 of IPC at Police Station Jamalpur, District Ludhiana.

2. It is submitted by learned counsel for the petitioner that the case against the petitioner is concocted. He is not involved in the crime as alleged against him. Even as per the story of the prosecution, the petitioner is alleged to have been found with some stolen material. However, the offences involved in this case are triable by the Magistrate and the punishment is of three years. The petitioner has been in custody since 11.02.2023. The investigation of the case is complete and the petitioner is not required for any investigation purposes. Hence, the petitioner deserves to be released on bail pending trial.

3. Notice of motion.
4. Mr. Jaspal Singh Guru, AAG, Punjab, accepts notice on behalf of the respondent-State. Custody certificate of the petitioner filed by learned State counsel today in the Court. The same is taken on record. Learned State Counsel, on instructions, from ASI Sadhu Singh, has submitted that the petitioner was caught red-handed with some stolen material. Therefore, the petitioner cannot assert that he is not involved in the case. However, it is not disputed by learned State counsel that the petitioner is in custody since 11.02.2023 and that he is not required for any investigation purposes.
5. In view of the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

17th NOVEMBER, 2023
‘sandeep’

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>