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

CRM-M-40512-2023 (O&M)
Date of Decision: 06.11.2023

Amit Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Sandeep Godara, Advocate for
Mr. Ajay Pal Singh, Advocate
for the petitioner.

Mr. H.S. Sitta, 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.137 dated 20.08.2022, under Sections 379-B & 34 IPC (Section 411 IPC added later on), registered at Police Station Mukerian, District Hoshiarpur.

2. Learned counsel for the petitioner submitted that the petitioner is in custody since 21.08.2022, which is for more than 1 year and 2 months. He further submitted that the allegation against the petitioner was that he had snatched Rs.1200/- and one gold chain from the complainant but now the investigation of the case has been completed and thereafter, the trial has commenced and even the complainant has also been examined. He also submitted that the petitioner is not involved in any other case and has clean antecedents and he has been falsely implicated in the present case. He

further submitted that be that as it may, now the investigation of the case has already been completed and challan has also been presented and the trial of the case may take long time and the complainant already stands examined, therefore, the petitioner may be considered for the grant of regular bail.

3. On the other hand, Mr. H.S. Sitta, learned Deputy Advocate General, Punjab, submitted that it is correct that the petitioner is in custody for more than 1 year and 2 months and investigation of the case has been completed. So far as the antecedents of the petitioner are concerned, he submitted on instructions from ASI Kartar Singh that the petitioner is not involved in any other case.

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

5. It is a case where the petitioner has already faced incarceration for more than 1 year and 2 months and the allegations were with regard to snatching of Rs.1200/- and one gold chain from the complainant, who already stands examined. The investigation of the case has already been completed and thereafter, challan has also been presented before the competent Court. 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 regular bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not

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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.

06.11.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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