

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.**CRM-M-47497-2022****Date of Decision: 16.3.2023**

Lovepreet Singh @ Laddi

....Petitioner**VERSUS**

State of Punjab

....Respondent**CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present: Mr. G.S.Verma, Advocate, for the petitioner.
Mr. H.S.Sullar, Sr. DAG, Punjab.

KARAMJIT SINGH, J.

Prayer in the present petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in case FIR No.185 dated 8.8.2021 registered for the offences punishable under Sections 379-B, 411, 34 IPC at Police Station Moti Nagar, District Ludhiana.

As per allegations appearing on record, unknown persons attacked complainant Nitin Dabar while he was going to his house after closing his factory on 7.8.2021 and the said miscreants snatched his mobile phone and purse and then fled away from there.

Counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and is languishing behind the bars for the last more than 1 year and 1 month and during the trial, the complainant while appearing in the witness box, has not supported the case of the prosecution. He further submits that in these circumstances, no useful purpose is going to be served by keeping the petitioner in custody for any longer period. So, prayer is made that the petitioner be released on regular

bail.

Present petition is resisted by the State counsel who submits that during the investigation, it was found that the petitioner was involved in snatching of mobile and purse of the complainant and he was arrested and he got effected recovery of one mobile phone. However, the State counsel has not disputed the fact that the petitioner is in custody for the last more than 1 year and 1 month and that during the trial, the complainant has turned hostile.

I have considered the submissions made by the counsel for the parties.

Status report dated 8.2.2023 has been received from the trial Court, as per which, the complainant stands examined and from the perusal of the copy of his testimony, it is clear that he failed to support the case of the prosecution as he failed to identify the accused in the Court.

Admittedly, the petitioner is in custody for the last more than 1 year and 1 month and it will take considerable time for the trial to conclude. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

March 16, 2023

Paritosh Kumar