

216
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45809-2023(O&M)

Date of Decision:19.09.2023

Karan @ Besan

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Prateek Pandit, Advocate, for the petitioner.

Mr. Ramdeep Partap Singh, Senior 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 FIR No.23 dated 18.03.2023, under Sections 379-B, 34, 411 IPC, registered at Police Station City Banga, District Shaheed Bhagat Singh Nagar (Nawanshahr).

2. Learned counsel for the petitioner has submitted that the allegations in the present case were that the petitioner alongwith the co-accused had snatched a purse from the complainant having cash of Rs. 5,000/- and one mobile phone. He submitted that after the investigation of the case, challan has been presented and charges were framed and thereafter now four witnesses have been examined including the complainant. He further submitted that petitioner is not involved in any other case and has got clean antecedents. He submitted that since the complainant has already been examined and he has already faced incarceration for 5 months and 10 days, he may be considered for the grant of regular bail.

3. On the other hand, Mr. Ramdeep Partap Singh, Senior DAG, Punjab has submitted that so far as the custody of the petitioner is concerned, the same is correct and four witnesses have been examined including the complainant and the petitioner is not involved in any other case.
4. I have heard the learned counsel for the parties.
5. It is a case where the petitioner has faced incarceration for 5 months and 10 days and as per the learned counsel for the parties, four witnesses have been examined including the complainant. The petitioner is stated to be not involved in any other case. Furthermore, it is not the case of the State that in case the petitioner is released on bail, then he may influence any witness or may tamper with evidence or may flee from justice.
6. In view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant regular bail to the petitioner.
7. Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.
8. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

19.09.2023

rakesh

(JASGURPREET SINGH PURI)

JUDGE

Whether speaking : Yes/No
Whether reportable : Yes/No