

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

218

2023:PHHC:125337

CRM-M-47055-2023

Date of decision: September 22nd, 2023

Puneet Singh @ Peeta

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Malkiat S. Hunda, Advocate
for the petitioner.

Mr. Pankaj Khullar, Assistant Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.1 dated 08.01.2023 under Section 379-B(2), 34 of the IPC (Sections 411, 201 IPC added later on) registered at Police Station Majitha Road, Amritsar.

2. Learned counsel for the petitioner, *inter alia*, contends that a false case has been planted upon the petitioner, which is evident from the fact that in the FIR in question, no description of the alleged assailants was given. It has been submitted that the petitioner being falsely implicated in the case in hand finds further credence from the fact that he has clean antecedents as he is not involved in any other case much less a case of similar nature. It has also been submitted that after the petitioner was arrested on 09.01.2023, charges have been framed, however, the prosecution evidence has not yet commenced, which is likely to commence on the next date of hearing i.e. 19.10.2023.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, submits that no doubt the petitioner was not named in the FIR, however, a secret information was received qua the involvement of the petitioner and the co-accused in the snatching of a mobile phone along with Rs.700/- from the complainant, pursuant to which all three were nabbed. Learned counsel, on instructions from ASI Rajesh Kumar, has submitted that during interrogation, it came to light that the petitioner was the person, who inflicted an injury on the lip of the complainant with a *kada*.

4. On a query put to learned State counsel as to whether the petitioner is involved in any other criminal case, he on instructions, has replied in the negative. He has also not disputed that charges stands framed and as many as 11 witnesses have been cited by the prosecution.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. The investigation in the case in hand is complete and the prosecution evidence would be commencing on 19.10.2023. Since 11 prosecution witnesses have been cited, the trial will take considerable time to conclude.

7. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

September 22nd, 2023
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No