

2023:PHHC:159945

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

227

CRM M-49988 of 2023
Date of Decision: 13.12.2023

Narinder Singh @ Raju

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr.Vikas Bali, Advocate for the petitioner.
Mr. Mohinder Singh Joshi, Addl A.G. Punjab,

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail in case FIR No.20 dated 03.02.2023 registered under Section 379-B(2) of IPC (Section 411 IPC added lateron) at Police Station Cantonment, Police Commissionerate Amritsar District Amritsar.

2. A short reply by way of an affidavit of Assistant Commissioner of Police, West Amritsar City has been filed on behalf of the respondent-State and the same is taken on record.

3. The FIR in the present case was registered on the basis of the statement made by Poonam Gautam. At about 02.00 p.m., on 03.02.2023, she and her son were present in their house and the door of the house was open. In the meantime, one person with muffled face entered their house and by showing a *Kirch*, he asked her to hand over

whatever she was having in her possession. She removed her ear rings and gave it to him. He also snatched a mobile phone and a sum of Rs. 2000/- from her purse by threatening her. She stated that she knew the person by name and he was Narinder Singh @ Raju. Her maid had also seen him, while he was running out of the house as he used to do the work of whitewash in the houses of their street.

4. Learned counsel for the petitioner further contends that the petitioner was wrongly arrested in the present case on 03.02.2023 and has been falsely involved only on the basis of the suspicion. He further contends that the recovery of mobile phone, *Kirch* and ear rings has been planted on the present petitioner. After investigation, the final report under Section 173 Cr.P.C. has already been presented before the Court and after presentation of the challan, charge has been framed against the petitioner. However, no witness has been examined so far and the conclusion of the trial may take quite a long time.

5. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious and specific allegations against the petitioner and the petitioner is not entitled for the concession of regular bail.

6. I have heard learned counsel for the parties and perused the record.

7. The petitioner was arrested in the present case on 03.02.2023 and is in custody for the last more than 10 months. Even, the charge has been framed against the petitioner and the trial Court may take considerable time in concluding the trial proceedings. Thus, no meaningful purpose will be served by keeping the present petitioner behind the bars.

8. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

13.12.2023

(N.S.SHEKHAWAT)

amit rana

JUDGE

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