

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-53173-2022 (O&M)

Date of Decision: 11.04.2023

HUSANPREET SINGH @ HONEY AND ANR.

...Petitioners

V/S

STATE OF PUNJAB

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. P.K.S. Phoolka, Advocate
for the petitioners.

Mr. Gurdarshan Singh Sidhu, AAG Punjab.

DEEPAK MANCHANDA J.

The petitioners are seeking regular bail in the case bearing FIR No. 159 dated 04.09.2022 registered under Sections 379-B and 34 of the Indian Penal Code registered at Police Station Kotwali Bathinda, District Bathinda.

Learned State counsel has filed custody certificates of both the petitioners, which are taken on record.

Contents of the FIR are that on 03.09.2022, petitioners who were on their motorcycle, snatched the purse and phone of the complainant.

Learned counsel for the petitioners contends that petitioners have been falsely implicated in the present FIR as there is an inordinate delay of one day in lodging the FIR. It is further contended that petitioner is in custody since 04.09.2022, no other case is pending against the petitioners and investigation of the case is complete and challan already stands presented.

On the other hand, learned State Counsel has opposed the aforesaid prayer, however, he does not dispute that investigation of the case

is complete and the challan stands presented and petitioners are not involved in any other case.

Having heard learned counsel for the parties and gone through the case file and custody certificate filed by learned State counsel, it is significant to note that the petitioners are in custody for a period of 07 months and 03 days. Investigation of the case has been completed and challan stands presented on 03.11.2022. There are total 16 prosecution witnesses, out of whom, 5 have been examined. Conclusion of the trial shall take considerable long time. No useful purpose would be served by keeping the petitioners in further incarceration.

As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioners. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioners be released on regular bail subject to their furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

11.04.2023
Ajay Goswami

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No