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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53409-2023

Date of Decision : 19.12.2023

Vijay Singh

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Jasdeep Singh Bhullar, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, 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.87 dated 22.06.2023 under Sections 323, 379 (B) (2), 34 IPC and later on added 411 IPC, registered at Police Station City Malout, District Sri Muktsar Sahib.

Learned counsel, *inter alia*, contends that a false and fabricated case has been planted upon him for allegedly slapping the sister of the complainant and thereafter, snatching her bag which contained her mobile handset and some other documents. Learned counsel further submits that the petitioner has now been in custody since 22.06.2023 and after the charges were framed on 19.10.2023, none of the 11 witnesses cited by the prosecution had been examined. A prayer has therefore, been made to extend the concession of bail to the petitioner who has clean antecedents coupled with the fact that there is no likelihood of the trial concluding in the near future.

Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from ASI Jagir Singh, has informed the Court that the petitioner was specifically named in the FIR in question and had fled away after snatching the bag of the sister of the complainant which contained her some documents as well as her mobile handset. However, learned State counsel, has not been able to controvert that the petitioner is not involved in any other criminal case much less a case of similar nature. It has also not disputed that after the charges were framed on 19.10.2023, the prosecution evidence had not yet commenced.

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

In the facts and circumstances as enumerated hereinabove, the trial will take some time to conclude. Hence, this Court deems it fit to extend the concession of bail to the petitioner. Accordingly, 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.

(MANJARI NEHRU KAUL)
JUDGE

December 19, 2023

Ps

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