

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

CRM-M-58842-2022

Date of Decision:-17.08.2023

Mintu @ Budha.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Shivinder Pal Singh, Advocate for
Mr. Brijeshwar Singh Bhalla, Advocate for the Petitioner.

Ms. Ramta K Chaudhary, Deputy Advocate General, Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.275 dated 24.10.2022 under Sections 379-B, 323, 511, 34 IPC registered at Police Station A-Division, District Amritsar.

2. The brief facts of the case are that the statement of one Parveen Kumar was recorded that while he was present at his house, two persons entered the same. One person was named Mintu @ Budha (petitioner) and he did not know the name of the other person. They inflicted injuries on his person and tried to run away after snatching the money. When he (complainant) raised an alarm then Rajiv Bhatia @ Raju and his (complainant's) nephew Rajesh Kohli came and they apprehended the accused. The name of the other person was found to be Salim @ Gora.

Legal action was sought.

3. The Counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. In fact no such occurrence had even taken place. During the investigation, nothing was recovered from the petitioner. As the petitioner was in custody since 24.10.2022 and none of the 09 prosecution witnesses had been examined so far, he was entitled to the concession of bail.

4. The Counsel for the State on the other hand contends that the serious nature of the allegations did not entitle the petitioner to the grant of bail. He however, concedes that petitioner is in custody since 24.10.2022 and none of the 09 prosecution witnesses have been examined so far.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be established during the course of the Trial. Admittedly the petitioner is in custody since 24.10.2022 and none of the 09 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation his further incarceration is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Mintu @ Budha** son of Sh. Gora @ Goga is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the present case.

9. In addition, the petitioner (or anyone on his behalf) shall

prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from the trial without sufficient cause.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 17, 2023

Vinay

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