

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

203

**CRM-M-86-2023 (O&M)
Date of decision: 02.02.2023**

Boota Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. K.S. Brar, Advocate for
Mr. G.S. Sandhu, Advocate for the petitioner.

Ms. Ishma Randhawa, Addl. AG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this second petition, the petitioner seeks regular bail in case bearing FIR No.306 dated 03.12.2021, registered under Section 379-B IPC and Sections 411, 201 and 34 IPC (added later on), at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib, the first one having been dismissed as withdrawn on 16.08.2022.

Learned counsel for the petitioner submits that the petitioner has been in custody since 02.01.2022; that the petitioner was not named in the FIR and was indicted on the basis of the disclosure statement of co-accused, namely, Ranjodh Singh @ Sewak, who has already been granted the concession of regular bail by this Court on 04.01.2023; that as far as other cases against the petitioner are concerned, he is on bail in those cases and that complainant has already been examined and 23 prosecution witnesses are yet to be examined.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner along with co-accused have actively participated in snatching of purse from the complainant, who is a Science Teacher and at that time she was travelling in E-Rickshaw. The petitioner is a habitual offender. However, she does not dispute the custody period of the petitioner. She submits that 23 prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 02.01.2022. The petitioner was indicted in the present case on the disclosure statement of co-accused Ranjodh Singh @ Sewak, who has already been granted the concession of regular bail. In other cases, the petitioner is on bail. 23 prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

02.02.2023

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No