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

CRM-M-62351-2023

Date of Decision: 15.12.2023

...Petitioner

Kuldeep Singh

VS.

...Respondent

State of Punjab

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Harpal Singh Sidhu, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, 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 regular bail to him in case FIR No.102 dated 30.09.2023 registered under Sections 379-B of IPC (Sections 411 and 201 IPC added later on), at Police Station Valtoha, District Tarn Taran.

2. The FIR in the present case was registered on the basis of the statement made by Gurmangal Singh. As per him, on 28.09.2023, he was going from his house towards Adda Valtoha on his motorcycle for purchasing some household articles and was carrying a sum of Rs.15,000/- in his cloth bag. At about 11.45 A.M., when he reached a little ahead of the railway crossing, a young boy came on a motorcycle and stopped his motorcycle near the complainant. On the pretext of asking something, the said boy snatched the cloth bag containing currency notes from the complainant and fled towards Valtoha. The complainant made efforts at his own level to trace the said person and on 30.09.2023, he saw the snatcher in the Valtoha Chowk and the name of

the said person is Kuldeep Singh son of Labh Singh.

3. Learned counsel for the petitioner contends that the petitioner has been wrongly named by the complainant in the present case. The alleged occurrence had taken place at about 11.45 am on 28.09.2023 and the matter has been reported by the complainant to the police at about 1.00 p.m. on 30.09.2023. He further contends that the petitioner has been named by the complainant in the FIR itself with some ulterior motive.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner.

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

6. From the record, it is clear that the petitioner was arrested on 30.09.2023 and is in custody for the last more than 02 months. The challan has already been presented before the trial Court and further custody of the petitioner will not serve any meaningful purpose. Even otherwise, the petitioner is the first offender and was not involved in any other criminal activity earlier.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

15.12.2023
hemlata

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