

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

225

CRM-M-1269-2024

Date of decision: 18.01.2024

Inderjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ketan Chopra, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. A.G., Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.110 dated 29.07.2023 under Sections 379-B(2), 411 read with Section 34 of the IPC registered at Police Station Focal Point, Ludhiana.

2. Learned counsel for the petitioner inter alia contends that false and fabricated allegations have been levelled against the petitioner of snatching the mobile phone of the complainant on 20.07.2023. Learned counsel submits that allegedly some injuries were inflicted on the person of the complainant, however, those injuries had not been attributed to the petitioner but to co-accused Ashwani Kumar and the recovery of the weapon of offence was also effected from the same person. It has been still further submitted that after the charges were framed on 26.09.2023, none of the 11 prosecution witnesses have been examined till date. Learned counsel has thus prayed for extending the

concession of bail as there is no likelihood of the trial concluding in the near future.

3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner, on instructions, has not been able to dispute the submissions made by the counsel opposite that the only role attributed to the petitioner in the occurrence in question is of having snatched the mobile handset of the complainant; it has also not been controverted that the injury with an iron *dah* was inflicted by co-accused Ashwani Kumar from whom thereafter the weapon of offence was also recovered.

4. On a pointed query put to the learned State counsel as to whether the petitioner is involved in any other criminal case, he on instructions has replied in the negative.

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

6. The investigation in the case in hand is complete and even charges stand framed, however, the trial is unlikely to conclude in the near future as the prosecution evidence is still to commence. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

7. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds 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.

8. Needless to add, in case the petitioner misuses the

concession of bail granted to him, the State would be at liberty to seek
cancellation of the same.

18.01.2024

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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