

CRM-M-1649-2024

Date of Decision: 20.02.2024

RAJ SINGH @ HADDI

...Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Vikas Gupta, Advocate
for the petitioner.

Mr. Inderjeet Singh Ladher, DAG, Punjab.

KARAMJIT SINGH, J.

Prayer in the present petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in case FIR No.234 dated 09.10.2023 registered for the offences punishable under Sections 379-B, 34 and 411(added later on) IPC at Police Station Maqboolpura, District Amritsar.

2. FIR in this case was registered against two unknown persons who allegedly snatched mobile phone Realme C12 from complainant Ravinder Kumar and thereafter fled away from there. During investigation, petitioner was nominated as one of the accused and was arrested on 10.10.2023. After completion of investigation police presented challan against the accused persons including the petitioner.

3. Counsel for the petitioner submits that the petitioner is falsely implicated in the present case and during investigation no incriminating article or snatched mobile phone was recovered from possession of the petitioner and further during trial complainant while

prosecution. It is further submitted that it will take time for the trial to conclude. So, prayer is made that the petitioner be released on regular bail.

4. Short reply by way of affidavit of Gurinderbir Singh, PPS, Assistant commissioner of Police, East, Amritsar filed on behalf of Stated is taken on record.

5. Learned State counsel while resisting the present petition submits that as per his instructions there are serious allegations of snatching appearing on the record against the petitioner and that trial is going on.

6. On the last date of hearing, certain directions were given to the trial Court to examine the complainant and in compliance of the said order the trial Court has submitted its report as per which complainant stands examined as PW-1 but he did not support the case of prosecution and failed to identify the accused persons.

7. In light of the above, no useful purpose is going to be served by detaining the petitioner in custody for any further period.

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

20.02.2024

Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

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