

230 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2819-2024
Decided on:-24.01.2024

Vicky KumarPetitioner..

vs.

State of PunjabRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Yaseen Sethi, Advocate and
Mr. Anmol Jindal, Advocate,
for the petitioner.

Mr. G.S. Dhillon, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial, in case bearing FIR No.14, dated 25.01.2023, registered under Section 379-B, 411 and 34 IPC, at Police Station Focal Point, District Ludhiana, Punjab.

2. In the present case, the petitioner along with his co-accused has been implicated with the allegations that he snatched the mobile phone of the complainant by showing him a sharp knife.

3. Learned counsel for the petitioner on instructions submits that in order to show his *bona fide*, the petitioner is even ready to compensate the complainant by way of depositing a non-refundable amount of Rs.10,000/- with the Trial Court without prejudice to his rights in the trial.

4. On the other hand, prayer made herein has been opposed at the

instance of learned State counsel while submitting that the petitioner is involved in one more FIR of similar nature, though, he is on bail.

5. I have heard learned counsel for the parties and gone through the paper book and find substance in the submissions made on behalf of the petitioner.

6. Admittedly, investigation in the present case already stands concluded with the filing of challan, followed by framing of charges and the petitioner is behind the bars for the past almost 01 year and trial is likely to take some time as only 01 witness has been examined out of total 10 witnesses cited by the prosecution. Though, petitioner is involved in one another FIR of similar nature, however, he is on bail. Thus, considering the aforesaid facts, I do not find any reason to extend the incarceration of the petitioner any further.

7. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate. The aforesaid amount of Rs.10,000/-, which is non-refundable as volunteered by learned counsel for the petitioner shall be deposited by the petitioner at the time of submissions of his bail bonds before the Trial Court/Duty Magistrate, which shall be released to the complainant upon verification.

8. It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

24.01.2024
sonika

(HARKESH MANUJA)
JUDGE

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