

CRM-M-5853-2024
Date of Decision: 25.04.2024

INDERJIT SINGH@ ROHIT
....Petitioner

VERSUS

STATE OF PUNJAB
....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Ms. Anmol Thakur, Advocate for
Mr. Umesh Sharma, Advocate
for the petitioner.

Mr. Jasjeet Singh Dhaliwal, AAG, 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.206 dated 04.10.2023 registered for the offences punishable under Sections 379-B(2) and 34 of IPC at Police Station Ranjit Avenue, Amritsar, District Police Commissionerate, Amritsar.

2. The allegations in nutshell are that complainant Aakash made statement before the police officials to the effect that on 30.09.2023, four persons came on motorcycle in front of him and caused injuries to him and snatched his mobile phone and then fled away from there on the same motorcycle. During investigation the present petitioner was arrested in the present case after getting his production warrants from the Court concerned, as at that time he was lodged in jail in some another criminal case.

3. Counsel for the petitioner submits that petitioner is falsely implicated in the present case and is behind the bars for last 6 months and 8 days and that during trial complainant failed to support the case of prosecution. He produced the copy of deposition of complainant which is taken on record. Counsel for the petitioner further submits that in the given circumstances, no purpose is going to be served by prolonging judicial custody of the petitioner for any longer period.

4. Present petition is resisted by the State counsel, who submits that petitioner is facing serious allegations, as he was involved in snatching of mobile phone of the complainant after causing injuries to him at the time of occurrence. However, the State counsel has not disputed the fact that trial is going on and on the last date of hearing, this Court gave specific direction for recording of statement of complainant to the trial Court.

5. I have considered the submissions made by the counsel for the parties.

6. It appears that FIR in this case was registered against unknown persons who caused injuries and snatched mobile phone from complainant-Aakash. From the perusal of the copy of deposition of PW1 complainant Aakash, it appears that he was declared hostile as he failed to identify the accused persons in the Court. Thus it is apparent that complainant has failed to support the case of prosecution during trial. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be

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to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty
Magistrate concerned.

25.04.2024

Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

1. Whether speaking/reasoned:
- Yes/No
2. Whether reportable:
- Yes/No