

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

244

**2024:PHHC:020285  
CRM-M-6582-2024  
Date of decision: February 13, 2024**

KULWANT SINGH ALIAS JAGGU  
...Petitioner

Versus

STATE OF PUNJAB  
...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Rahul Rampal, Advocate  
for the petitioner.  
  
Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

**MANJARI NEHRU KAUL, J. (ORAL)**

1. The instant petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.87 dated 22.06.2023 under Sections 323, 379 (B) (2), 34 of the Indian Penal Code, 1860 (Section 411 of the IPC added later on), registered at Police Station City Malout, District Sri Muktsar Sahib.
2. Learned counsel for the petitioner *inter alia* contends that a false and fabricated case has been planted upon the petitioner for allegedly snatching her bag, which contained her mobile handset and some other documents. Learned counsel further submits that the petitioner has now been in custody since 22.06.2023 and after the charges were framed on 19.10.2023, none of the 14 witnesses cited by the prosecution had been examined till date. He submits that co-accused Vijay Singh has already been extended the concession of regular bail by this Court vide order dated 19.12.2023 (Annexure P-2). A prayer has, therefore, been made to extend the concession of bail to the petitioner, who

has clean antecedents, coupled with the fact that there is no likelihood of the trial concluding in the near future.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has informed the Court that the petitioner was specifically named in the FIR in question and had fled away after snatching the bag of the sister of the complainant, which contained some of her documents as well as her mobile handset. However, learned State counsel, has not been able to controvert that the petitioner is not involved in any other criminal case, much less a case of similar nature. It has also not been disputed that after the charges were framed on 19.10.2023, the prosecution evidence had not yet commenced.

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

5. In the facts and circumstances as enumerated hereinabove, the trial will take considerable time to conclude, therefore, this Court deems it fit to extend the concession of bail to the petitioner. Accordingly, the instant petition is allowed; the petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned.

6. 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.

February 13, 2024  
Jaspreet Kaur

(MANJARI NEHRU KAUL)  
JUDGE

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