

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

119 CRM-M-7768-2024
Date of Decision : March 21, 2024

BABLU -PETITIONER

V/S

STATE OF HARYANA -RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Sandeep Sharma, Advocate
for the petitioner.

Mr. Bhupender Singh, D.A.G., Haryana.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, the petitioner craves for indulgence of this Court for him being enlarged on regular bail, in case FIR No.01 dated 02.01.2023, under Sections 201, 34, 379-A of the IPC, registered at P.S. City Kanina.
2. Succinctly stated, the allegation against the petitioner is that he along with his co-accused snatched a bag containing Rs.20,000/- and necessary documents of pension from the complainant.
3. Though the learned counsel for the petitioner does not address arguments on merits of the case, however, he seeks the grant of regular bail to the petitioner, on the ground that, since only three prosecution witnesses, out of total nine witnesses, have been examined so far, therefore, subjecting the petitioner to any further incarceration, who has been languishing behind the bars since 01.11.2023, would serve no fruitful purpose. He further submits that though the petitioner is involved in two other criminal cases, however, the offence(s) involved therein is different and he is on bail in both those cases.

4. Though the learned State counsel has opposed the grant of regular bail to the petitioner, however, on instruction imparted to him by A.S.I. Satish Kumar, he does not dispute the factum *qua* period of incarceration suffered by the petitioner, besides also does not dispute the factum *qua* the number of prosecution witnesses examined so far.

5. This Court has heard the learned counsels for the parties and perused the entire record available before this Court.

6. Be that as it may, considering the fact that (i) the petitioner has undisputedly suffered incarceration of approx. 04½ month; (ii) though the petitioner is involved in two other criminal cases, however, the nature of offence(s) therein is different and he is on bail therein; (ii) since there is no likelihood of the trial concluding anytime soon, as only three prosecution witnesses, out of total nine witnesses, have been examined so far, therefore, keeping the petitioner behind the bars would serve no fruitful purpose; this Court deems it appropriate to grant the concession of regular bail to the petitioner. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

7. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

March 21, 2024
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No