

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-8257-2024
Date of decision: 22.02.2024

Satinderpal Singh....Petitioner.

Versus

State of Punjab....Respondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Kulwinder Singh Dhillon, Advocate,
for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

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SANJIV BERRY, J. (ORAL)

1. Custody certificate dated 21.02.2024 filed by learned State counsel in Court today is taken on record. Copy thereof supplied to learned counsel for the petitioner.
2. Instant petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR (Annexure P-1). Details of the FIR are as under: -

FIR No.	Dated	Sections	Police Station
41	07.03.2022	392, 395 IPC (201, 148 and 149 IPC added lateron)	Gharinda, District Amritsar Rural

3. Arguments of both the parties have been heard.
4. Briefly stated that the case of the prosecution is that when the complainant was sitting in the office then 03 persons with muffled

faces entered the office armed with *datars* and 03 persons were standing outside, they snatched Rs. 5,09,540/- along with the mobile phone. Later, the petitioner was arrested in this case on 08.03.2022.

5. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that after being arrested on 08.03.2022, no recovery has been effected from the petitioner. He contends that the prosecution has to examine 14 witnesses which will take sufficient long time and the petitioner is languishing in jail. Hence, he prays for grant of bail.

6. *Per contra*, learned State counsel, prays for dismissal of the bail petition, considering the nature and gravity of the offence. He, however, submitted that out of 14 witnesses cited by the prosecution, only 01 witness has been examined till date. He also admitted that no recovery had been effected from the petitioner in this case.

7. Considering the facts and circumstances of the case and in the light of the above arguments, it is observed that the petitioner in the present case is in custody since 08.03.2022 and no recovery has been effected from him. The disposal of the trial to ascertain the criminal liability, if any, of the petitioner will take sufficient long time and in these circumstances, it is observed that no purpose would be served in detaining the petitioner in custody any longer to face the incarceration till the conclusion of trial. Accordingly, without commenting on the

merits of the case, instant petition is allowed and the petitioner is ordered to be released on bail on his furnishing surety bonds/bail bonds to the satisfaction of Trial Court/Duty Magistrate.

8. The petitioner shall give the undertaking that he will not leave the country without prior permission of the Court; will regularly appear before the trial Court on each and every date; in case of some exigency, he will seek prior permission of the concerned Court qua his exemption to appear on the date fixed and he will not tamper with evidence of prosecution in any manner.

9. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

10. Petition stands allowed.

22.02.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |