

2024.PHHC.087842



218.

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

CRM-M-12257-2024

Date of decision: 15.07.2024

Satnam Nath

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Malkiat S. Hundal, Advocate, for the petitioner.

Ms. Avneet, AAG, Punjab.

GURBIR SINGH, J.

1. This petition has been filed under Section 439 of Cr.P.C. for grant of regular bail to the petitioner in case FIR No.178, dated 05.06.2022, under Sections 379-B/411/149 of IPC, registered at Police Station Maqboolpura, Amritsar.

2. The aforesaid FIR was registered on the statement of Raju with the allegation that on 05.06.2022 at about 11 AM when he was standing and having tea at *rehri*, four persons, namely, Badal, Kallu, Satnam Nath (present petitioner) and Rajbir Singh, came to him and snatched his mobile phone and cash of Rs.16,300/- from him.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present FIR. Nothing was recovered from him. He is in custody since 05.06.2022. Even otherwise, co-

accused, namely, Kalu Gurnam Singh and Rajbir Singh have already been granted the concession of regular bail by this Court vide order dated 19.05.2023 passed in CRM-M-24738 of 2023 titled as *Kalu Gurnam Singh Versus State of Punjab* and order dated 23.11.2023 passed in CRM-M-58059 of 2023 titled as *Rajbir Singh Versus State of Punjab*, respectively. There is no other case pending against the petitioner. The trial in the case will take time to conclude and no useful purpose would be served by keeping the petitioner behind bars.

4. Learned State counsel has though opposed the bail but does not dispute the custody and the fact that two other co-accused have been granted regular bail by this Court. She has fairly submitted that petitioner is not involved in any other case.

5. I have heard the submissions of learned counsel for the petitioner, learned State counsel and have gone through the paper book.

6. Considering the fact that petitioner is in custody for the last 2 years and 1 month; no other case has been pointed out against him; two co-accused have already been granted regular bail by this Court; trial in the case will take time to conclude, this Court deems it appropriate to release the petitioner on regular bail.

7. Accordingly, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of concerned learned trial Court/Duty Magistrate.

8. However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial court shall decide the case on the basis of material available before it.

(GURBIR SINGH)
JUDGE

July 15, 2024
sanjeev

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