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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-15991-2024
Date of decision:-17.09.2024

JASKARANDEEP SINGH @ JOBAN

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Vaibhav Narang, Advocate for the petitioner.

Mr. Adesh Pal Singh, AAG, Punjab.

SANJIV BERRY, J.(ORAL)

Learned State counsel has filed custody certificate dated 17.09.2024, the same is taken on record, copy thereof, has been supplied to the counsel opposite.

2. The instant petition has been preferred by the petitioner under Section 439 of the Criminal Procedure Code for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
0098	31.08.2023	379 B(2), 34 IPC	Majitha Road, District Police Commissionerate Amritsar

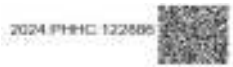
3. It is *inter alia* contended by learned counsel for the petitioner



that the petitioner is innocent and has been falsely implicated in this case and is in custody since 07.09.2023. He contends that no specific overt act has been attributed to the petitioner and the recovery of activa scooter has already been effected from co-accused Sukhwinder Singh alias Sanju and after completion of investigation challan has already been presented in Court and till date no witness out of 13 witness cited by the prosecution has been examined. Hence, he prays for grant of regular bail to the petitioner.

4. Per contra, learned State counsel, referring to the reply submitted by the State has not disputed the factual matrix, but has submitted that considering the gravity and nature of offence petitioner do not deserve concession of bail.

5. After considering the respective submissions and perusing the record, it is observed that the petitioner along with co-accused Sukhwinder Singh alias Sanju, Palwinder Singh alias Paras were apprehended in the present case on the allegations of snatching activa scooter of complainant by putting him under threat with a knife. The said activa scooter has been recovered from co-accused Sukhwinder Singh alias Sanju and knife from Palwinder Singh alias Paras. The petitioner is in custody since 07.09.2023, after completion of investigation, challan has already been presented in Court, but no witness has been examined till date out of 13 witnesses cited by the prosecution. Considering the fact that the trial is proceeding at snails pace, the conclusion of trial will take sufficient long time to ascertain criminal liability, if any, of the petitioner and no purpose would be served by detaining the petitioner any longer in custody.



6. Resultantly, the present petition is allowed. The petitioner is ordered to be released on regular bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

17.09.2024
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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No