



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-28364-2024 (O&M)
Date of decision: 13.08.2024

KARBANBIR SINGH @ KANNU

....Petitioner

V/s

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gagandeep Singh Sirphikhi, Advocate for the petitioner.
Mr.Amit Rana, Sr.DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.66 dated 28.06.2023 under Sections 392, 379 (B)(2), 201 of Indian Penal Code, 1860 registered at Police Station Kathunangal, Police District Amritsar Rural.
2. Learned counsel for the petitioner has reiterated the submissions made on the previous date of hearing that he has been falsely implicated in the present case for allegedly snatching the mobile handset of the complainant after putting him under the fear of death. It has been further submitted that since the sole material witness in the present case i.e. the complainant already stands examined, further incarceration of the petitioner would serve no useful purpose as 10 prosecution witnesses still remain to be examined. It has been asserted by learned counsel that in the
aforementioned facts and circumstances, there can be no apprehension of



the petitioner tampering with the evidence or even trying to intimidate the witnesses. It has also been submitted that the petitioner has no criminal antecedents.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has not disputed the custody period of the petitioner as well as the stage of trial. It has also not been disputed that the sole material witness in the present case i.e. the complainant whose mobile handset was allegedly snatched by the petitioner has already been examined. Learned State counsel, however, has submitted that the complainant while stepping into the witness box had supported the case of the prosecution.

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

5. The petitioner has been in custody since 28.06.2023. The sole material witness i.e. the complainant, as not disputed, already stands examined. The trial would thus, take a considerable amount of time to conclude. On a pointed query put to the learned State counsel as to whether the petitioner has criminal antecedents, he has replied in the negative as there is no other criminal case pending against the petitioner.

In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of

anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

7. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

(MANJARI NEHRU KAUL)
JUDGE

August 13, 2024
poonam

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