



CRM-M-29329-2024 (O&M)

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

Sr. No.226

CRM-M-29329-2024(O&M)
Date of decision : 02.07.2024

Inderjeeet Singh @ Sabbi

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Sunil Agnihotri, Advocate, for the petitioner.

Mr. Gauravdeep Singh Dhaliwal, AAG, Punjab.

KIRTI SINGH, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.296 dated 23.09.2023 registered under Sections 379-B, 34 IPC (further Section 411 IPC was added vide Rapat No.36 dated 08.10.2023) at Police Station Tanda, District Hoshiarpur.

Learned counsel for the petitioner submits that it is alleged by the prosecution that on 22.09.2023, the complainant was returning back to his house on his motorcycle bearing registration No.PB-06-AP-2609 and he was assaulted by unknown persons and from his possession, they snatched mobile phone, wallet and copy of his Adhar Card and other documents. He submits that the petitioner has not been named in the FIR and no specific role has been attributed to him. He further submits that the petitioner is in custody since 06.10.2023 and has already joined the investigation. He further submits that there are three more FIRs against him.

Learned State counsel on instructions from the concerned



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investigation officer submits that challan has been presented on 04.12.2023 and charges have been framed. The next date of hearing before the learned trial Court is 20.09.2024. He also submits that out of a total of 13 prosecution witnesses, none has been examined till date. In view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

Heard.

The veracity of the allegations leveled against the petitioner shall be established during the course of the trial. Admittedly, the petitioner is in custody since 06.10.2023. None of the prosecution witness have been examined despite charges having been framed and further incarceration of the petitioner would not serve any purpose.

Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. The petitioner shall also abide by the following conditions:-

- (I) The petitioner will not tamper with the evidence during the trial.
- (II) The petitioner will not pressurize/intimidate the prosecution witness(s).
- (III) The petitioner will appear before the trial Court on the date fixed, unless personal presence is exempted.

(IV) The petitioner shall not commit an offence similar to the offence of which he is accused of, or for commission of which he is suspected.

(V) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail before this Court.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(KIRTI SINGH)
JUDGE

02.07.2024	
Ramandeep Singh	
Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No