

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215

CRM-M-33782-2023

Date of decision: 09.02.2024

Manpreet Singh alias Mann

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Akhilesh Vyas, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. A.G., 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.1 dated 08.01.2023 under Sections 379B(2)/201, 411, 34 of the IPC registered at Police Station Majitha Road, District Amritsar.

2. Learned counsel for the petitioner inter alia contends that the false implication of the petitioner is evident from the fact that in the FIR in question no description of the alleged assailants was given by the complainant. It has been further submitted that after the petitioner was falsely implicated in the instant case, and arrested on 09.01.2023, not only had the charges been framed but even the sole material witness i.e. the complainant, whose mobile handset was allegedly snatched by the petitioner, had been examined, hence, there was no possibility of the petitioner trying to tamper with evidence or influence the witnesses in case he was enlarged on bail. Learned counsel has also submitted that 10 prosecution witnesses still remain to be examined in the case in

hand.

3. Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions, has submitted that the petitioner had previously been involved in similar cases; he has further submitted that the petitioner along with co-accused had snatched the mobile handset along with ₹700 from the complainant. However, learned State counsel on instructions has not been able to dispute that the complainant who is the sole material witness in the case in hand, stands examined. He, on further instructions, has informed the Court that the next date fixed before the Trial Court is 06.03.2024 when some more prosecution witnesses out of the remaining 10, are likely to be examined.

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

5. The petitioner has been in custody since 09.01.2023. The trial is unlikely to conclude in the near future. In the facts and circumstances as enumerated hereinabove, moreso, since the sole material witness stands examined, this Court deems it fit to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that 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.

09.02.2024

(MANJARI NEHRU KAUL)

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JUDGE

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