

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

229

CRM-M-42532-2023 (O&M)
Date of Decision:- 22.02.2024

MANI KUMAR ALIAS MANOJ

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Ravi Malhotra, Advocate for the petitioner.

Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in the following case:-

FIR No.	Dated	Sections	Police Station
12	22.01.2023	379-B (2), 34 and 411 IPC	Sadar Ludhiana, District Ludhiana

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case. He submits that petitioner is not involved in the said crime and is in custody since 24.01.2023. He contends that challan has already been presented in the Court and the conclusion of trial will take sufficient long time as the prosecution is yet to examine the witnesses. He thus prays for grant of

regular bail to the petitioner.

3. On the other hand, learned State counsel has opposed the bail petition by arguing that the petitioner along with co-accused Karan Kumar @ Karanbir @ Karan had snatched the purse and mobile phone of the complainant and as such petitioner is not entitled to the concession of bail.

4. Heard.

5. After considering the respective submissions and perusing the record, it transpires that the case of the prosecution is that the petitioner along with co-accused Karan Kumar @ Karanbir @ Karan had snatched the mobile phone and purse of the complainant containing Rs.1,000/- on the fateful day. The occurrence is stated to have taken place on 17.01.2023 and the FIR was registered after a delay of 5 days i.e. on 22.01.2023 and petitioner is in custody since 24.01.2023. The prosecution has cited as many as 13 witnesses but none has been examined till date. It is worth mentioning that the co-accused Karan Kumar @ Karanbir @ Karan has already been granted the concession of bail vide order dated 07.08.2023 passed in CRM-M-17273-2023 (Annexure P-1). Considering the pace of the trial, the conclusion of trial to ascertain the criminal liability, if any, of the petitioner, will take sufficient long time and no purpose would be served by detaining the petitioner in custody any longer.

6. In these circumstances, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Duty Magistrate 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.
8. Pending miscellaneous application(s), if any, stand disposed of.

(SANJIV BERRY)

JUDGE

22.02.2024

S.Sharma(syr)

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