



CRM-M No.44890 of 2023

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

222/2

CRM-M No.44890 of 2023 (O&M)

Date of Decision:20.09.2024

Sukhdev Singh @ Anmol

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. Amandeep Singh Manaise, Advocate for the petitioner.

Mr. Ajaib Singh, Addl. AG, Punjab.

MAHABIR SINGH SINDHU, J.

Present **first** petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 seeking bail pending trial in FIR No. 16 dated 14.02.2023, under Section 379-B(2) read with Section 34 of the Indian Penal Code, 1860 (for short, 'IPC'), registered at Police Station Verka Amritsar, District Amritsar.

2. Allegations are that petitioner along with co-accused in furtherance of their common intention caused grievous injuries on the person of *de facto* complainant-injured-Kishan Kumar with sharp edged weapon and snatched his purse and mobile phone.

3. Learned counsel for the petitioner contends that petitioner was granted interim bail by this Court on 03.11.2023 and in pursuance thereof, he is regularly appearing before learned trial Court. Further submits that there is no allegation that petitioner is likely to misuse the concession or hamper the proceedings in any manner.



concerned, has acknowledged the above factual position and submits that petitioner is regularly appearing before learned trial Court. He also acknowledged that petitioner has not misused the concession of interim bail granted by this Court on 03.11.2023; but he has opposed the prayer for bail at this stage.

5. Heard learned counsel for both the sides and perused the paper book.

6. This Court, granted interim bail to the petitioner on 03.11.2023, in the following manner:-

“Contends that petitioner is in custody since 22.02.2023; report under Section 173 Cr.P.C. has already been presented and even charges are framed; but till date, no prosecution witness has been examined. Also contends that there is no other criminal case pending against the petitioner as on today.

Learned State counsel seeks time to verify the above factual position.

Posted on 21.12.2023.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned..”

7. Learned State counsel has duly acknowledged that petitioner is regularly appearing before learned trial Court and there is no allegation that in case, interim bail is made absolute, he is likely to misuse the concession or hamper the proceedings in any manner. In such a scenario, sending the petitioner to custody at this stage would not serve any purpose.

8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 03.11.2023, is made absolute. He shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date of hearing and to

fully co-operate with learned trial Court without seeking any unnecessary



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adjournment(s).

10. The above observations may not be construed as an expression of opinion on the merits of the case.

11. It is clarified that in case there is any misuse of concession by the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

20.09.2024 (MAHABIR SINGH SINDHU)
Rajeev (rvs) JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No