

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49511-2023

Date of Decision: January 10, 2024

VARINDER KUMAR ALIAS BARRI ALIAS MONUPetitioner

Versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Saruju Puri, Advocate for the petitioner.
Mr. Gurlal Singh Dhillon, AAG, Punjab.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No.9 dated 07.01.2020 registered under Sections 379-B, 451, 324, 325, 323 and 34 IPC at Police Station City Nawanshahr, District SBS Nagar wherein, the petitioner has been implicated with the allegation of having snatched certain amount.
2. The prayer made herein has been opposed at the instance of learned State counsel while submitting that the offence alleged in the FIR is of serious nature.
3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.
4. In the aforementioned FIR, the petitioner was granted pre-arrest bail by this Court vide order dated 09.09.2021. Upon completion

of investigation, challan was presented on 23.01.2021 whereas, the charges were framed on 18.05.2022. The petitioner has been appearing regularly before the trial Court but for 05.05.2023, when he could not appear as he was admitted in de-addiction centre in Himachal Pradesh from 28.05.2023 till the date of his arrest from there only on 10.07.2023. Moreover, the petitioner has already suffered incarceration for a period of almost 6 months by now on account of having absented himself from the trial Court and the conclusion of trial is likely to take some time. Considering the aforesaid circumstances, this Court does not find justification to extend his incarceration any further.

6. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, 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.

10.01.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>