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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-56056-2023 (O&M)
Date of Decision:- 06.02.2024

VARUN KUMAR

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Ramanjeet Singh, Advocate for the petitioner.

Mr. Harpreet Singh, Additional AG 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
63	08.04.2023	379-B(2) and 34 IPC	Salem Tabri, Ludhiana City, 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 the petitioner is in custody since 08.04.2023 and challan has already been presented in Court. He further submits that the petitioner is not having any criminal antecedents and as such prays for grant of bail to the petitioner.
3. *Per contra*, learned State counsel has opposed the bail petition

of the petitioner considering the nature and gravity of the offence. He has not disputed the factual matrix of the case by submitting that challan has already been presented in Court and there is no other case registered against the petitioner.

4. Heard.

5. After considering the rival contentions and perusing the record, it transpires that as per the allegations levelled by the prosecution, the petitioner was involved in snatching of mobile phone of the complainant. He was arrested by the Police on 08.04.2023 and since then he is in custody. After the completion of investigation, challan has already been presented in Court and charges have been framed. Out of 13 witnesses cited by the prosecution, none has yet been examined. Admittedly, there is no other criminal case registered against the petitioner. 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

06.02.2024

S.Sharma(syr)

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