

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

235

CRM-M-53044-2024  
Date of Decision : **October 29, 2024**

NISHAN SINGH @ RAJA

.....Petitioner

***VERSUS***

STATE OF PUNJAB

.....Respondent

**CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present : Mr. G.S.Jagpal, Advocate for the petitioner.  
Mr. Sahil R. Bakshi, AAG, Punjab.

**KULDEEP TIWARI, J. (Oral)**

1. Through the instant petition filed under Section 439 of Cr.P.C., the petitioner prays for grant of regular bail in case FIR No.195 dated 19.9.2023, Under Sections 379-B, 506, 34 of IPC, (offences under Sections 411, 392 IPC added lateron), registered at Police Station Division No.6, Distt. Ludhiana.
2. Learned counsel for the petitioner in the asking for the relief (supra) submits that the petitioner was earlier arrayed as an accused in FIR No. 84 dated 17.5.2023, under Sections 379-B, 34, 411 IPC, Police Station Division No.6, Ludhiana and after arresting the petitioner in that case, two other cases including the present case was planted upon the present petitioner, that too, solely on the basis of a disclosure statement. He further submits that the instant case, is of no injury and the only allegations against the petitioner are that of snatching of mobile phone and some money. He also submits that the petitioner has suffered incarceration of more than 1 year as on today and till date, the charges have not been framed.



3. The learned State counsel while placing on record the custody certificate *qua* the petitioner has vociferously opposed the grant of regular bail to the petitioner. The custody certificate further reflects that the petitioner has suffered incarceration of 1 year and 17 days as on today. He informs this Court after having instructions from the quarter concerned that the final report has already been submitted before the learned trial Court concerned, and the charges have been framed on 6.2.2024, however, no witness has been examined so far, whereas, the prosecution has cited total 8 witnesses in the final report.

4. Be that as it may, considering the fact that the petitioner has suffered incarceration of 1 year and 17 days as on today and the stage of the trial i.e. the prosecution evidence is yet to begin, this Court deems it fit and appropriate to extend the benefit of regular bail to the petitioner. Therefore, the present petition is **allowed**.

5. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

6. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

October 29, 2024  
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(KULDEEP TIWARI)  
JUDGE

Whether speaking/reasoned. : Yes/No  
Whether Reportable. : Yes/No