

**256 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
CRM-M-31476-2016**

SWARAN SINGH

..... Petitioner

versus

STATE OF PUNJAB

...Respondent

Present : Mr. Vennet Sharma, Advocate
for the petitioner.

Mr. K.S.Pannu, DAG, Punjab.

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.214 dated 04.06.2016 registered under Sections 379-B IPC, at Police Station-Civil Lines, Amritsar, District Amritsar.

As per the allegations, the complainant was having kulfī and when he tried to take his purse to give the payment, the petitioner pushed him and snatched the purse and ran. However, he was apprehended on the spot by the friend of the complainant and then immediately handed over to the police. Learned counsel has argued that apart from the merits of the case, the petitioner has been in custody from 04.06.2016 and more than 90 days have expired and even challan has not been presented. Learned DAG on instructions

from ASI Kuldeep Singh has accepted these factual assertions. In the circumstances, without commenting on the merits of the case and keeping in view the period of custody, I deem it appropriate to release the petitioner on regular bail.

Bail to the satisfaction of the trial Court/Duty Magistrate.

The matter does not end here. As per the FIR, this was a case where petitioner snatched the purse and was apprehended on the spot and was handed over to the police. Learned DAG is not in a position to justify why challan was not presented for so long.

Let the Commissioner of Police, Amritsar file his personal affidavit as to why the challan was not presented and when there was inordinate delay in the presentation of challan what action was taken against the delinquent officers.

Adjourned to 06.10.2016 for this purpose.

September 14, 2016
anuradha

(AJAY TEWARI)
JUDGE