

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M No.7318 of 2016 (O&M)

Date of Decision: 04.03.2016

Balwinder Singh

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Anupam Bhardwaj, Advocate for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab
for the respondent/State assisted by ASI Sarwan Singh.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner-Balwinder Singh in case FIR No.81 dated 28.12.2015, for the offences punishable under Section 379-B(1) of the Indian Penal Code, registered at Police Station Khilchian, Tehsil Baba Bakala, District Amritsar (**Annexure P-1**).

As per the allegations, the present petitioner/accused-Balwinder Singh accompanied by his co-accused/non-applicant-Harpreet Singh snatched the mobile phone of the complainant-Mandeep Singh on 28.12.2015 at about 3:30 PM near railway crossing.

It is contended that the petitioner is in custody since 31.12.2015 and after completion of the investigation, challan stands presented. It is further contended that the case is triable by a Magistrate.

Petitioner is stated to be not involved in any other criminal case.

Learned State Counsel, assisted by ASI Sarwan Singh, does not refute the aforesaid factual position.

Without commenting on the merits of the case, keeping in view the custody period, the fact that case is triable by a Magistrate and after presentation of the challan, trial is not likely to be concluded in near future, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

March 04, 2016

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**(JASWANT SINGH)
JUDGE**