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

**CRM-M No. 11507 of 2017
Date of Decision: 28.04.2017**

Gurwinderpal Sharma

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Ashish Gupta, Advocate,
for the petitioner.

Mr. Shilesh Gupta, Additional A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No. 7 dated 08.01.2017, under Sections 379-A, 379-B and 411 I.P.C., registered at Police Station City Faridkot, District Faridkot.

Complainant Neeru Sharma alleged that on 06.01.2017, when her mother Vijay Laxmi was coming on a rickshaw from the bus stand, two persons came from behind and snatched the purse from her mother. Her mother became unconscious and could not give information to the police. One

Gold Kitty Set, approximately an amount of Rs. 10,000/- and one Samsung mobile phone were present in the purse.

During the course of investigation, the police recorded statement of one Sher Singh under Section 161 Cr.P.C. in the context of alleged complicity of the petitioner. Since the petitioner did not accompany aforesaid Sher Singh, therefore, he could not be arrested. The aforesaid statement was made on 12.01.2017, i.e. after six days of the occurrence and four days of the registration of the FIR. Thereafter, the police recorded the statement of one Lal Singh, who allegedly produced the petitioner before the police on 14.01.2017. Personal search of the petitioner was conducted on 14.01.2017 itself and as per the memo, nothing was recovered from the petitioner, but the recovery memo prepared by the police suggested that a mobile phone was recovered from the petitioner.

Both the documents would make the case debatable at the trial.

The petitioner is in custody since 14.01.2017.

Learned State counsel on instructions from A.S.I. Baljit Singh stated that the challan has been presented and the case is pending for consideration of charge.

In view of the aforesaid, without meaning anything on

merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, the petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/ surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

April 28, 2017
Apurva

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No