

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**CRM-M-15416 of 2017
Date of Decision: 23.05.2017**

Davinder Singh and anotherPetitioners

VERSUS

State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Neveen Bawa, Advocate
for the petitioners.

Ms. Bhavna Gupta, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 8 dated 10.02.2017 registered for offence punishable under Section 379-B read with Section 34 of Indian Penal Code (for short, "IPC") at Police Station Airport, District Amritsar City.

Heard.

As per case of prosecution, petitioners were named by complainant-Sunny Kondal as the persons, who caught him on the way while he was going to hotel Reddison Blue, where he was working and his Micromax mobile and purse containing ₹4000/- were snatched from him. Both the petitioners were arrested in this case on 12.02.2017.

Learned State counsel submits that mobile phone of complainant was recovered from petitioner no. 1-Davinder Singh while his Aadhaar card and ₹400/- alongwith purse were recovered from petitioner no. 2-Harpreet Singh @ Haria.

Learned counsel for petitioners submits that petitioners are resident of the village where complainant is residing. They have been falsely implicated due to enmity with complainant. Both the petitioners have no adverse antecedents or are involved in any other case.

Learned State counsel on instructions from ASI Salwinder Singh submits that petitioners are not involved in any other case and no other FIR has been registered against them.

Keeping in view the fact that investigation of the case is complete and challan has been presented against the petitioner and that conclusion of trial will take considerably long time, the present petition is allowed. Petitioners, namely, Davinder Singh and Harpreet Singh @ Haria are ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) Petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to petitioners shall stand withdrawn. The trial Court shall be competent to cancel their bail bond and surety bond and proceed to procure their presence in accordance with law. In that eventuality petitioners shall have to apply for bail afresh.
- (c) They shall not leave the country without the previous permission of the Court.

May 23, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No