

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-7531 of 2017

Date of Decision: 21.04.2017

Nitin Sharma @ Sajan Mota

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. R.K. Arya, Advocate
for the petitioner

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. 372 dated 22.09.2016 registered for the offence punishable under Section 379-B of Indian Penal Code (for short, "IPC") at Police Station Division 'A', Amritsar City, District Amritsar.

Heard.

The petitioner was arrested on 16.09.2016. Allegation against him is that he had snatched purse of the complainant, who was going in rickshaw.

Learned counsel for the petitioner submits that the petitioner was not identified in this case. In fact he was arrested in another case and was then named in this case as well. Identity of the petitioner is a question to be proved by the prosecution.

Learned State counsel submits that the challan has been presented and charges have also been framed. The petitioner was got

identified in police station by complainant. There are two other cases of snatching against the petitioner and one more case has been registered against him for offence punishable under Section 382 IPC.

Learned counsel for the petitioner submits that in all the three other cases the petitioner is on bail.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Nitin Sharma @ Sajjan Mota is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

April 21, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No