

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No.M-28716 of 2018 (O&M)
Date of decision : 17.07.2018

Lovekesh Malhotra

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Vaibhav Narang, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

RAJ SHEKHAR ATTRI, 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.126 dated 01.05.2018, registered under Section 379-B IPC at Police Station Division A, District Police Commissionerate, Amritsar.

It has been submitted in the FIR that some unknown person, riding on a two-wheeler, snatched the purse of complainant Smt. Aarti which contained mobile phone and cash amount of Rs.4400/-. The cash amount of Rs.4000/- and mobile phone make 'Samsung' have been recovered from him. The petitioner is in custody since 03.05.2018.

Learned counsel for the petitioner has also relied upon the statement of complainant Aarti wherein she has stated that the name of the petitioner has been unnecessarily entered in the paper and infact he was not present at the spot.

The petitioner is stated to be in custody since 03.05.2018.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time and no useful purpose will be served by keeping the petitioner in custody any further, the present petition is allowed. Petitioner Lovekesh Malhotra is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, Amritsar, 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

17.07.2018
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(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No