

209.

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

CRM-M-30313-2018

Date of decision:25.07.2018.

SUNNY BAWA @ BAWA

... Petitioner

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. S.S. Sarwara, Advocate, for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab, for respondent No.1.

Mr. Kulwinder Singh, Advocate, for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.136 dated 25.04.2018 under Sections 379-B, 34 IPC, registered at Police Station Zirakpur, District SAS Nagar Mohali.

Learned counsel for the petitioner states that apart from the fact that the complainant-Sanjay has furnished an affidavit that he has never disclosed the name of the petitioner to the police, petitioner is in custody since 25.04.2018, trial in the case will take long time and there is no other case against him.

Learned State counsel, on instructions from SI Paramjit Kaur, states that in the FIR version, complainant has named the petitioner, but now he is resiling. However, he is not disputing the custody of the petitioner

At this stage, Mr.Kulwinder Singh, Advocate, has put in appearance on behalf of respondent No.2-complainant and filed his vakalatnama, which is taken on record. He states that the complainant has not named the petitioner.

I have heard learned counsel for the parties.

This Court finds that the petitioner is in custody since 25.04.2018. The allegation is that he along with other co-accused snatched ₹11,000/- from the pocket of the complainant. The complainant has given an affidavit in support of the petitioner stating therein that he has never disclosed the name of the petitioner-Sunny Bawa @ Bawa to the police. The involvement of the petitioner is yet to be decided during the course of trial. The trial in the case will take long time. No other case has been pointed out against him.

In view of above, present petition is allowed and the petitioner is admitted on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

It is made clear that in case the petitioner is found indulged in any other case of similar nature, the prosecution shall be at liberty to seek cancellation of his bail.

(HARI PAL VERMA)
JUDGE

25.07.2018
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No