

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-38716 of 2018
Date of Decision: 11.09.2018

Sukhpal Singh @ Pal

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vikasdeep Singh, Advocate
for the petitioner.

Mr. Sandeep Mann, AAP, 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.77 dated 07.07.2018 registered for the offence punishable under Section 397-B (2) of Indian Penal Code (for short, "IPC") at Police Station Talwandi Chaudhrian, District Kapurthala.

Heard.

As per case of the prosecution, petitioner alongwith co-accused, namely, Pawandeep Singh asked for mobile of complainant to make a call and then tried to forcibly snatch it. They also snatched the wallet of the complainant. In the meanwhile, a friend of complainant came to the spot and identified the petitioner and his associate as Sukhpal Singh and Pawandeep Singh. On being identified, petitioner and his associate sped away from the spot on their motorcycle.

Learned counsel for the petitioner submits that it was a case of minor scuffle with the complainant. The petitioner is not a snatcher. He was known to the complainant. There was a minor scuffle between the

complainant and petitioner, which has been presented as an incident of snatching of mobile and wallet. Co-accused, namely, Pawandeep Singh has already been allowed regular bail vide order dated 07.08.2018 passed in CRM-M-32693-2018.

Learned State counsel submits that mobile of complainant make 'VIVO V7' was recovered from co-accused Pawandeep Singh. The matter is still under investigation. There is no other case pending against the petitioner.

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-Sukhpal Singh @ Pal 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

September 11, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No