

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-4050-2019 (O&M)

Date of Decision:- 1.2.2019

Gurdeep Singh and another ... Petitioners

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sanjeev Goyal, Advocate for the petitioners.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

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GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioners seek grant of regular bail in respect of a case registered vide FIR No.44 dated 5.3.2018 at Police Station Civil Lines, Bathinda, District Bathinda, Punjab under Sections 379-B, 328, 365 and 34 of Indian Penal Code, 1860.

The FIR was registered at the instance of Neetu Sharma, wherein it has been alleged that on 28.1.2018, when he was waiting for passengers at Bus Stand, Bathinda, then two men and one woman came there at about 8:30 PM in order to go to Kot Shamir and they proceeded for their journey to Kot Shamir but while on the way one of the passengers put a handkerchief on his mouth due to which he started feeling dizzy and shortly thereafter, the said persons snatched his mobile phone, his wallet containing 700-800 rupees, his driving license and also took away his auto rickshaw and left him near Village Kartar Singh Wala.

The learned counsel for the petitioners has submitted that the FIR has been lodged belatedly after more than a month and that while the occurrence is stated to have taken place on 28.1.2018, the FIR came to be lodged on 5.3.2018 without there being any valid explanation for the delay.

Opposing the petition, the learned State counsel has submitted that the petitioner is involved in another identical case and that in these circumstances, the petitioner does not deserve the concession of bail.

Having considered rival submissions addressed before this Court and bearing in mind the nature of allegations and also the fact that the FIR was lodged belatedly without there being any valid explanation and that the petitioner has been behind bars since the last about five months, in my opinion, no useful purpose will be served by detaining the petitioner behind bars any further. The petition, as such, is accepted. The petitioners Gurdeep Singh and Sukhjinder Singh are ordered to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

This present petition stands accepted accordingly.

1.2.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No