

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-18635 of 2019 (O&M)

Date of decision: 30.08.2019

Sahil Kumar @ Pappala

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Subhash Kumar, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

ANIL KSHETARPAL, J. (ORAL)

Prayer in the petition is to grant regular bail in FIR No.251 dated 14.07.2018 registered under Sections 379-B, 34 of IPC and Section 25 of the Arms Act, 1959, at Police Station Sahnewal, District Ludhiana.

As per the case of the prosecution, 5 accused forcibly entered the shop of the first informant after covering their faces. The occupant of the shop was tied after putting down the shutter. The assailants had taken away gold containing ear ring weight 4 grams, some silver ornaments i.e. anklets etc. and 1 mobile phone.

Learned counsel for the petitioner submits that the petitioner is in custody since 27.07.2018 i.e. for a period of more than one year. The evidence of one prosecution witness has been recorded out of 24 proposed to be examined.

Learned State counsel has submitted that the two other accused

have been declared proclaimed offender. He also pointed out that the petitioner is involved in two other criminal cases and therefore, the petitioner should not be granted concession of regular bail.

As regards involvement of the petitioner in other cases, there are two criminal cases against him. In one case i.e. in FIR No.138 of 2017, the petitioner has been acquitted vide judgment dated 01.02.2019. With regard to second case i.e. FIR No.178 dated 04.11.2017, offences are under Section 323, 341, 506 and 34 of IPC.

The investigations are complete and the petitioner is not alleged to be involved in any similar case of snatching.

Without commenting on the merits of the case and keeping in view the fact that the trial of the case is likely to take a long time, the petitioner is directed to be released on regular bail subject to furnishing of adequate personal/surety bonds to the satisfaction of the the Chief Judicial Magistrate/Duty Magistrate.

Accordingly, the present petition is allowed.

30.08.2019

D.Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No