

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

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CRM-M-33106-2019 (O & M)
Date of Decision:19.08.2019

Dapinderjit Singh @ Shashi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sandeep Gahlawat, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.168 dated 20.09.2018 (wrongly mentioned as 20.09.2019 in impugned order), under Sections 379-B and 34 IPC (Section 411 IPC added lateron), registered at Police Station Division No.1, District Jalandhar.

The FIR was registered on the statement of complainant Karan Kumar, wherein it was alleged that on 19.09.2018 at about 9.30 pm he was coming from Rachna Saffron Mall, Near Company Bagh towards his house, and when he reached near his house from Maqsudan Chowk, he was talking on his Vivo Phone with his family to receive him from there. Suddenly, three persons came on a black colour Activa and out of them, two were Hindu persons and one was Sikh. The last pillion rider snatched his mobile from him and also took away currency notes of ₹5000/- from the back pocket of his jean pant and they all fled away on the said Activa towards

Maqsudan Chowk.

Learned counsel for the petitioner contends that the occurrence of snatching mobile phone had taken place on 19.09.2018 and the FIR was registered on the next day. He submits that the accused was not named in the FIR, however, petitioner was arrested on 27.04.2019, when he had switched on the alleged mobile. It is further contended that the Police itself added the offence punishable under Section 411 IPC. According to him, investigation of the case is complete and co-accused namely Hari Singh @ Kashish has already been released on bail.

On the other hand, learned State counsel assisted by SI Amarjit Singh has opposed the bail application. It is not disputed by him that the petitioner was indicted as an accused in April, 2019 when the said mobile was recovered from him. It is also not disputed that qua him Section 411 IPC was added.

Considering the above background and the fact that the trial is likely to take some time, further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

19.08.2019
sheetal

(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No