

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

227

CRM-M-33589-2019 (O & M)
Date of Decision:26.08.2019

Sukhbir @ Mota

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ashish Gupta, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

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.638 dated 15.11.2018, under Sections 379-A, 201 and 34 IPC, registered at Police Station City Jind.

The present case was registered on the complaint moved to police by complainant Bhim Sain son of Ramji Lal, resident of Sant Nagar, Jind on 15.11.2018, wherein he mentioned that on 14.10.2018 he was going to General Hospital, Jind to meet his relative. When he reached in front of Jaat College, three young boys came on a Motorcycle and snatched his mobile and sped away. His mobile was of MI Company bearing IMEI No.867159036092837867159038092835. On this complaint, FIR under Section 379-A IPC was registered. Investigation was carried out. During investigation, on 2.11.2018, co-accused Dinesh @ Dinu had suffered disclosure statement in case FIR No.598 dated 30.10.2018 under Section

379-A IPC, P.S.City, Jind regarding his involvement in the commission of offence of this case along with co-accused Sukhbir @ Mota and Monu. The production warrants of accused and co-accused Dinesh were got issued in case FIR No.584 dated 26.10.2018 under Section 379- A IPC, P.S.City, Jind and they were joined in the investigation and arrested in this case. Accused along with co-accused Dinesh had suffered disclosure statements regarding their involvement in the commission of present offence. Thereafter, Section 201 IPC was added to the case. Production warrants of co-accused Monu were got issued and he was joined in the investigation of this case and arrested in this case. On interrogation, he suffered disclosure statement and got recovered the Motorcycle used in the commission of offence.

Learned counsel for the petitioner contends that the petitioner is in custody since his arrest on 29.10.2018. Prosecution has already examined victim as PW-1. It is contended that complainant and other person to whom snatched mobile phones were sold by the accused, have testified before the Court and they have not supported the version of the prosecution. According to him, further custody of the petitioner may not be justified as the trial is likely to consume some time.

On the other hand, learned State counsel assisted by SI Sultan Singh has opposed the bail application. It is pointed out that there are 5 other cases of similar nature and it is fairly stated that the complainant has supported the prosecution case.

At this stage, learned counsel for the petitioner contends that all these cases were registered within one month.

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.

26.08.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No