

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

**CRM-M No. 48429 of 2019
Date of Decision:-20.11.2019**

HARPREET SINGH @ HAPPY

.....Petitioner

V/S

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

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

Mr. Sandeep Singh Deol, D.A.G. Punjab.

ARUN KUMAR TYAGI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C for grant of Regular Bail to the petitioner in FIR No. 74 dated 25.04.2019 registered under Section 379-B(2), 411 and 201 of Indian Penal Code, 1860 at Police Station Sadar Patti, District Tarn Taran.

Learned Counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. The complainant named the accused in the FIR but there is nothing to explain as to how and in which manner he knew the names, parentage and addresses of all the persons nominated in the FIR. The petitioner is alleged to have snatched mobile phone and purse containing Aadhar Card, PAN Card, Voter Card and RC of motorcycle. No recovery except that of motorcycle was made from his possession. The petitioner is in custody since 11.06.2019. The petitioner is involved in three other cases but he is already on bail on those cases. No useful purpose will be served by keeping the petitioner behind the bars. Therefore, he may be ordered to be released on bail.

On the other hand, learned State Counsel has argued that the petitioner is accused of having committed serious offences including offence punishable under Section 379-B(2) of the IPC. Therefore the petitioner does not deserve the concession of regular bail and the bail application may be dismissed.

Keeping in view the facts and circumstances of the case particularly the facts that no recovery of any incriminating material was made from possession of the petitioner, trial is likely to take long time and no useful purpose will be served by keeping the petitioner in further detention in custody but without commenting on merits, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on bail on furnishing of bail bonds by him to the satisfaction of Trial Court/Duty Additional Sessions Judge concerned.

20.11.2019

Rajeev (rvs)

**(ARUN KUMAR TYAGI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No