

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

209

CRM-M-49686-2019

Date of decision: 27.11.2019

Vikram Pal @ Bikram Pal

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Naveen Bawa, Advocate for the petitioner.

Mr. Arun Kaundal, DAG, Punjab.

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed the present first petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.236 dated 10.10.2019 under Section 379-B of the Indian Penal Code, 1860 (for short, "IPC") registered at Police Station Sahnewal, District Ludhiana, to which Sections 411/34 of the IPC were added later on.

As per the case of the prosecution, the petitioner and his co-accused Sonu are alleged to have snatched mobile phone, purse containing amount of ₹500/- and Aadhaar Card from complainant-Raja Kumar. On completion of investigation pursuant to registration of FIR, the petitioner and his co-accused were chargesheeted by the police to face trial under Section 379-B of the IPC.

Learned State counsel has appeared and opposed the bail application.

I have heard learned counsel for the petitioner and learned State counsel and gone through the record.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case. No recovery was

made from him. Similarly placed co-accused Sonu has been granted regular bail by the learned Additional Sessions Judge, Ludhiana vide order dated 20.11.2019. Trial is likely to take long time and no useful purpose will be served by detention of the petitioner in custody. He is not involved in any other case. Therefore, he may be ordered to be released on regular bail.

On the other hand, learned State counsel has argued that the petitioner is accused of having committed heinous offence of snatching of the mobile phone and other valuables of the complainant. However, on instructions from ASI Kulwinder Singh No.2788 learned State counsel has conceded that he is not involved in any other case.

Keeping in view the facts and circumstances of the case particularly the fact that the trial is likely to take long time, no useful purpose will be served by further detention of the petitioner in custody, the petitioner is not involved in any other case and parity with co-accused Sonu, who has been granted regular bail by the learned Additional Sessions Judge, Ludhiana but without commenting on merits of the case, 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 regular bail on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

27.11.2019

Vinay

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No