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

CRM-M-50016 of 2019

Date of decision: December 16, 2019

Ranbir Singh alias Laddo

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rajesh Kapila, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG Punjab.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail pending trial to the petitioner, in FIR No.56 dated 24.08.2019, under Sections 379-B of the Indian Penal Code, 1860 (for short 'IPC') (Sections 379, 411, 473 of IPC added later on), registered at Police Station Kahnuwan, District Gurdaspur.

As per prosecution case, petitioner along with others scuffled with the complainant and snatched his mobile phone.

Contentends that as per the allegation of the prosecution itself, occurrence had taken place on 10.08.2019, whereas, the present FIR was lodged after a delay of 14 days, i.e. on 24.08.2019 and there is no explanation to that effect. Also contends that after investigation, report under Section 173 of Cr. P.C. has already been submitted and charges are yet to be framed.

Learned State counsel has acknowledged the delay in lodging the FIR, and no explanation is coming forward from the police

file.

Heard both sides and perused the paper-book.

Since the investigation is already over; charges are yet to be considered, thus, the trial will take sufficient long time. Moreover, there is a delay of 14 days in lodging the FIR, therefore, further incarceration of the petitioner would not serve any purpose.

In view of the above, this petition is allowed. Petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

However, it is made clear that in case, there is any recurrence on the part of the petitioner, State of Punjab would be at liberty to move an application for recalling of this order.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

December 16, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No