

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

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CRM-M No.52391 of 2019 (O&M)
DATE OF DECISION : 13th DECEMBER, 2019

Saurav Sharma

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Sunny K. Singla, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.121 dated 17.08.2019 registered under Sections 379-B & 411 IPC at Police Station City-I Malerkotla, District Sangrur.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the case of the prosecution, the mobile phone was snatched from the complainant. However, that mobile phone stands recovered from the co-accused. There is no other case against the petitioner. The challan has already been filed. Therefore, the petitioner is not required for any investigation purpose. The petitioner is in custody since 02.09.2019. Hence, the petitioner deserves to be released on bail pending trial.

On the other hand, learned counsel for the State, on instructions from ASI Harbhajan Singh, submits that the petitioner has been identified by the complainant as the person who was involved in the

incident. However, it is not disputed that no recovery has been effected from the petitioner so as to connect him with the crime. It is also not disputed that the petitioner is in custody since 02.09.2019 and that there is no other case against him.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/sureties to the satisfaction of the trial Court/Duty Magistrate.

13th DECEMBER, 2019
‘raj’

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>