

Sr.No.233

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

**CRM-M-4373-2020
Date of decision:05.02.2020**

Joga Singh @ Jorawar Singh

... Petitioner(s)

versus

State of Punjab

... Respondent (s)

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present: Mr. Anoop Singla, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, AAG, Punjab.

Jasgurpreet Singh Puri, J.(Oral)

Present petition has been filed for seeking regular bail in FIR No.248, dated 26.09.2019 for the offences punishable under Sections 379-B/411/201 IPC, registered at Police Station City Faridkot, District Faridkot.

Learned counsel for the petitioner has submitted that in the present case he was not named in the FIR. During the course of investigation, he has been arrested by the police wrongfully and has further submitted that he was not involved in the case. Learned counsel for the petitioner has further submitted that petitioner is in custody since 30.09.2019 and the conclusion of the trial is likely to take some time therefore, he may be released on bail in the meanwhile.

On the other hand, learned State counsel states that in the present case even as per FIR, three persons had come on motor cycle and they were all aged between 25 to 30 years. They snatched the handbag from the complainant and ran away. Therefore, the argument of learned counsel for the petitioner that he was not named in the FIR would not be relevant in

the present case. He has further submitted that in the present case, the petitioner was arrested on the basis of identification being done by the complainant. It has been submitted that the bag snatched from the complainant containing the mobile phone was also recovered and the co-accused had suffered a disclosure statement under Section 27 of the Indian Evidence Act that they had snatched the bag containing Rs.5,00,000/-, out of which an amount of Rs. 4,34,000/- was kept concealed at residential house of the co-accused. Thereafter, DDR No.36 dated 30.09.2019 for offence under Section 411 IPC was added. He has further submitted that during the investigation process, the police had also recovered ATM, Debit card and keys which were taken out from the bag of the complainant and same were thrown in the canal, therefore, vide DDR No.30 dated 02.10.2019 an offence under Section 201 IPC was added.

It has further been pleaded by learned State counsel that the matter involved is serious in nature and considering the gravity of the offence the petitioner is not entitled to concession of the regular bail.

I have heard the learned counsel for the parties and perused the available record. As per the FIR three persons had come on motor cycle and snatched a bag from the complainant which contained cash, mobile and various other documents. Thereafter, the petitioner was identified by the complainant when he was nabbed at the Naka as per the version of the State. As per the facts of the case, which have been stated in the FIR and as stated by the learned State counsel the matter being serious in nature, it is not a case where only the petitioner is involved but three persons were allegedly involved in the case who have allegedly committed the offence of snatching from the complainant. Therefore, in view of the totality of the

circumstances and considering the gravity and seriousness of the offence, I do not deem it appropriate to admit the petitioner on bail at this stage.

The petition is therefore, devoid of any merit and dismissed at this stage. However, this is not to be treated as expression of any opinion or observations regarding the merits of the case.

5th February, 2020
Shivani Kaushik

[JASGURPREET SINGH PURI]
JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*