

223 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SMRITI
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CRM-M-5188-2020

Date of Decision: 11.02.2020.

Rajvir Singh @ Raju

... Petitioner

vs.

State of Punjab

.. Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

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

Mr. B.S.Sewak, Additional Advocate General, Punjab.

VIVEK PURI, J.(ORAL)

Through instant petition, the petitioner is seeking regular bail in case FIR No.343 dated 28.12.2019 under Sections 379-B and 411 (added later on) of Indian Penal Code registered at Police Station City Faridkot, District Faridkot.

The aforesaid FIR No.343 dated 28.12.2019 has been registered on the basis of the statement of Manpreet Singh alleging that on 27.12.2019, at about 07:00 P.M., three unknown persons arrived on a motorcycle. The person sitting on the rear seat snatched the mobile phone which was being attended by the complainant. It was also mentioned that the complainant can identify the persons, if brought before him.

In the supplementary statement of the complainant recorded on the following day, he had nominated the driver of the motorcycle as Rajinder Singh; petitioner was stated to be sitting on the middle seat and Jaswinder Singh @ Kaka was stated to be sitting on the rear seat, who snatched the mobilephone.

Test Identification Parade (for short 'TIP') was also conducted on 01.01.2020 in the presence of learned Judicial Magistrate, Faridkot, wherein, the complainant could only identify Rajinder Singh and Jaswinder Singh. Petitioner, though named in the supplementary statement of the complainant, has not been identified by him during TIP.

The arrest of the petitioner was effected on 29.12.2019. His custodial interrogation is over and he has been remanded to judicial custody.

Learned State counsel, on instructions from ASI Gurbax Singh, has not disputed the factual position.

Keeping in view the aforesaid facts, no useful purpose will be served by detaining the petitioner behind the bars. Accordingly, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail bonds/surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Illaqa Magistrate/Duty Magistrate.

(VIVEK PURI)
JUDGE

11.02.2020.
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Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No