

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-15383-2020****Date of decision: 01.07.2020****Avtar Chand @ Sonu****....Petitioner****V/s.****State of Punjab****.....Respondent****CORAM: HON'BLE MS. JUSTICE RITU BAHRI.**

Present: Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Jagmohan S. Ghuman, DAG, Punjab.

Ritu Bahri, J. (Oral)

This petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case F.I.R. No. 229 dated 19.11.2019 under Sections 379-B/34/482/411 of Indian Penal Code, 1860 and Section 28 of Arms Act 1959 registered at Police Station Goraya, District Jalandhar Rural.

Learned counsel for the petitioner contends that the petitioner is in custody since 03.12.2019 and the allegations in the FIR is that petitioner alongwith co-accused had stopped the car of the complainant showing him toy pistol and thereafter snatched his car. He further contends that the co-accused namely Amandeep @ Rinku who had shown toy pistol is already on bail and the recovery of the toy pistol and the car had been effected from him.

Learned counsel for the State, on instructions from ASI Jagdish Raj, informed that Amandeep @ Rinku has been released on bail. He submits that challan has been presented and 17 witnesses have to be examined after framing of charges. Since no recovery was to be effected from the petitioner and as per the custody certificate dated 30.06.2020 there are two other cases (FIR No. 154 dated 15.09.2014 under Sections 22/61/85

of NDPS Act, registered at Police Station Goraya, Jalandhar and FIR No. 21 dated 02.03.2010 under Section 392 of IPC, registered at Police Station Phillaur, Jalandhar) pending against the petitioner in which the petitioner is already on bail.

Keeping in view above facts and the fact that trial may still take some time for its conclusion, this Court feels that there is no need to detain the petitioner any longer. Accordingly, this petition is allowed and the petitioner is ordered to be enlarged on bail to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

01.07.2020**Divyanshi****RITU BAHRI
(JUDGE)****Whether speaking/reasoned:****Yes/No****Whether reportable:****Yes/No**