

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

**1. CRM-M No.15704 of 2020 (O&M)
Date of decision : July 03, 2020**

Krishan Petitioner

Versus

State of Punjab Respondent

2. CRM-M No.15723 of 2020 (O&M)

Mangat @ Mangat Lal Petitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Brijeshwar Singh Bhalla, Advocate for the petitioner
in CRM-M No.15704 of 2020.
Mr. Gurminder Singh, Advocate for the petitioner
in CRM-M No.15723 of 2020.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

Both the petitions have been taken for hearing through video conference due to Covid-19 pandemic.

Custody certificate of petitioner-Krishan (in CRM-M No.15704 of 2020) has been filed in the Court today and the same is taken on record.

The abovementioned two petitions are being decided by a common order as both the petitions are filed under Section 439 Cr.P.C. for grant of regular bail to the petitioners in the same FIR No.37, dated 19.02.2020, under Sections 379-B IPC (Section 473 IPC was added later on), registered at Police Station City Moga, District Moga.

Learned counsel for the petitioners argues that the present case is of snatching the bag from the wife of the complainant, who was sitting in

cycle-rickshaw and the petitioners were named after one day by the complainant on the basis of the inquiry done by him at his own end. Learned counsel for the petitioners submits that the challan has already been presented on 15.05.2020 and nothing more is to be recovered from the petitioners and therefore, keeping in view the allegations alleged, the petitioners are entitled for the concession of regular bail.

Learned counsel for State, on instructions from ASI Ashok Kumar, states that two mobile phones and Rs.2,700/- have been recovered from petitioner-Krishan (in CRM-M No.15704 of 2020) though nothing more is to be recovered from the petitioners, hence, the petitioners are not entitled for the concession of regular bail.

I have heard learned counsel for the parties and have also carefully gone through the case file.

It is not disputed that the challan has already been presented and nothing more is to be recovered from the petitioners. The trial is likely to take some time and in the present scenario of COVID-19, no useful purpose would be served by keeping the petitioner behind bars.

Learned counsel for the petitioner undertakes that the petitioners will not influence the trial in any manner, including influencing the witnesses. It is directed that in case of default of undertaking, the State will be at liberty to approach this Court for appropriate orders.

Without commenting upon the merits of the case, it is directed that the petitioners be released on regular bail, if not required in any other case, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

(HARSIMRAN SINGH SETHI)
JUDGE

July 03, 2020

sarita

Whether speaking / reasoned

Whether Reportable:

Yes

No