

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-17133-2020(O&M)

Date of Decision: 17.07.2020

Arvind Rai

--Petitioner

Versus

State of U.T., Chandigarh

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Atul Kaushik, Advocate for the petitioner.

Mr. Ashu Mohan Punchhi, A.P.P., U.T., Chandigarh.

TEJINDER SINGH DHINDSA.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 439 Cr.P.C seeking benefit of regular bail to the petitioner in case FIR No.24 dated 23.1.2020 registered under sections 356, 379-A, 411, 34 I.P.C at Police Station, Sector 39, Chandigarh.

Counsel for the parties have been heard.

FIR came to be registered on the complaint of Mrs. Simrat Kaur on the assertion that on 23.1.2020 at about 3.45 P.M when she was returning from the market, two Kinetic born riders came from the rear side and snatched her bag containing a Samsung mobile phone, cash Rs.1200/-, two lady suits, one Sucha Moti Mala and photocopy of Aadhar Card.

It is the contention raised by counsel that petitioner is innocent and is in custody since 27.1.2020 and his further incarceration would not be justified as the challan has already been presented. Further submitted that it

is a case of false implication. Name of the petitioner did not figure in the FIR nor was he apprehended on the spot.

This Court, however, is of the considered view that the concession of bail ought not to be extended in favour of the petitioner, at this stage.

The allegations are in relation to a serious offence under Section 379-A I.P.C which entails a punishment of Rigorous Imprisonment for 10 years. That apart, the snatched property as per prosecution has been recovered from the possession of the petitioner as also co-accused Didar Singh. The instances of snatching are on the rise and particularly during the difficult times on account of COVID-19 pandemic.

Prayer for bail is declined, at this stage.

Petition dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

17.07.2020

lucky	Whether speaking/reasoned:	Yes/No
	Whether Reportable:	Yes/No