

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

**CRM-M-19026-2020
Date of decision: 05.08.2020**

Shubam

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Rohiteshwar Singh, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 187 dated 16.05.2020, registered under Sections 379-B and 34 of the IPC at Police Station Division No. 5, Jalandhar.

Learned counsel for the petitioner submits that as per the allegations in the FIR, registered at the instance of complainant Chitranjan, he, along with his brother Mukesh, was going on foot when petitioner Shubam, driving a scooter with one Ajay Malik @ Nana sitting on the pillion seat, came and snatched complainant's mobile.

Learned counsel for the petitioner further submits that the petitioner was known to the complainant and it is mentioned in the FIR that the petitioner is performing in Jagratas (religious functions).

Learned counsel for the petitioner further submits that in fact the petitioner has falsely been implicated in this case on account of complainant's enmity with co-accused Ajay Malik @ Nana, who is also

involved in some other cases.

Learned counsel for the petitioner further submits that the petitioner is the sole bread earner in his family; he is not involved in any other case; investigation is complete and the challan stands presented.

Learned State counsel could not dispute the factual position that the petitioner and co-accused Ajay Malik @ Nana are named in the FIR with their parentage and address, however, it is submitted that co-accused Ajay Malik @ Nana is involved in three other FIRs, whereas the petitioner is not involved in any other case.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid submissions of learned counsel for the parties; the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

05.08.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No