

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

Sr. No.218

**Crl. Misc. No.M-31809 of 2020
DATE OF DECISION: 13.10.2020**

SURAJ

..PETITIONER

VERSUS

U.T. CHANDIGARH

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Ankur Malik, Advocate, for the petitioner.

Mr. Ashu Mohan Punchhi, PP with
Mr. Anupam Bansal, Advocate,
for U.T., Chandigarh.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks regular bail in case FIR No.174, dated 23.08.2020, registered at Police Station Sector 31, Chandigarh, under Sections 392 & 411 IPC.

Learned counsel for the petitioner submits that the FIR was registered on account of a misunderstanding. The complainant has sworn an affidavit, copy of which is on record as Annexure P-5 after the parties have reached an amicable settlement dated 06.10.2020 (Annexure P-4). There is no other criminal case pending against the petitioner and thus, he may be granted regular bail.

Custody certificate dated 13.10.2020 has been presented in Court. The same is taken on record. According to this certificate, the petitioner has undergone actual custody of 01 month and 19 days and there is no other criminal case pending against him.

Learned Public Prosecutor for U.T., Chandigarh submits that the incident is dated 23.08.2020. A perusal of the FIR shows that the

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petitioner was accused of snatching a mobile phone and purse containing valuables belonging to the complainant. He was apprehended at the spot by the passersby. The mobile phone was recovered there and then and the purse was recovered the next day. Section 379-B IPC has also been added and the trial Court rejected the bail petition of the petitioner *inter alia* on the grounds that Section 379-B IPC was also likely to be added. Within about 20 days thereafter, the petitioner has prevailed upon the complainant to reach a settlement and it is evident that the family of the accused is trying to influence the witnesses. The petitioner is accused of a heinous offence, instances of which are on the rise and thus, he does not deserve the concession of regular bail.

In response, learned counsel for the petitioner submits that the petitioner is a young boy employed with 'Zomato'. He being a first offender deserves to be granted regular bail.

The facts brought on record indicate that the petitioner was apprehended at the spot. Recoveries have also been effected. Thus, there is no question of any misunderstanding. The compromise dated 06.10.2020 is, in my opinion, evidence of the fact that the family of the accused is trying to influence the witnesses and is attempting to subvert the course of justice. Thus, the petitioner does not deserve to be granted the discretionary relief of regular bail.

The petition is accordingly dismissed.

13.10.2020

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No