

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

CRM-M-34090-2019

Date of decision: **07.08.2020**

NEERAJ KUMAR ALIAS GINNI

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. R.S. Sekhon, Advocate for
Mr. Munish Gulati, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual
Court)*

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.148 dated 28.9.2013 under Sections 394 & 328 IPC at Police Station City South, District Moga.
2. The FIR was registered at the instance of Rakesh Kumar, who is running a photography studio and has alleged that on the date of occurrence two

persons came to his studio for getting photograph clicked and that one of the persons entered the studio room but shortly after entering there he took out chilly powder from his pocket and sprinkled the same in the eyes of the complainant and thereafter hit him & tried to snatch his camera but was unsuccessful. However he was able to snatch an amount of ₹2,000/- from complainant's pocket and thereafter both of them ran away from the spot. It is further stated therein that complainant was able to identify them as Surjit Singh @ Babbu and Ginni.

3. Learned counsel for the petitioner has submitted that he was initially kept in column No.2, but was subsequently summoned with the aid of Section 319 Cr.P.C., but he was never properly served and on account of which he happened to be declared proclaimed offender. It has further been submitted that since the petitioner in any case is in custody since 14.1.2019, he deserves concession of bail.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR and had also been declared proclaimed offender, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the present case, especially that it is a case where an amount of ₹2,000/- only is stated to be snatched and while also keeping in view the custody period of the petitioner, who is stated to have been behind bars since last about 1 year & 7 months, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to take some time. The petition, as

such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

07.08.2020

Gaurav Sorot

**(GURVINDER SINGH GILL)
JUDGE**

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**