

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

CRM-M-38793-2020(O&M)

Date of decision : 26.11.2020

Akashdeep Singh and another

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. J.S. Bhinder, Advocate for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short, 'CrPC') for grant of regular bail to the petitioners in FIR No.266 dated 22.10.2020 under Sections 379-B, 34 of the Indian Penal Code, 1860 (Section 411 IPC added later on) registered at Police Station City Sunam, District Sangrur.

The allegation in the present FIR against both the petitioners is that they had snatched the mobile phone from the possession of the sister of the complainant. The said mobile phone was recovered from the possession of the petitioners on 22.10.2020.

Learned counsel for the petitioners would contend that the complainant has since given an affidavit dated 28.10.2020 wherein it has been stated that the matter has been compromised between the parties. In

view of the affidavit given by the complainant, learned counsel for the petitioners would further contend that there is a bleak chance of conviction in the present case.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab, on instructions from SI Darshan Singh, has contended that the affidavit has been executed by the complainant in the present case wherein it has been stated that the parties have since entered into a compromise.

In view of the above and considering the fact that the trial is likely to take some time to conclude especially in view of the prevailing conditions on account of COVID-19 pandemic, without commenting upon the merits of the case, I deem this to be a fit case for grant of regular bail to the petitioners. The petitioners are directed to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate/Trial Court concerned.

However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioners are found to be misusing the concession of bail in any manner.

It is, however, made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off.

26.11.2020
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO