

CRM-35597-2019 in/and
CRM-M-46320-2019 (O&M)
Date of decision: 12.03.2020

VIJAY KUMAR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURIPresent: Mr. Gurpreet Singh Sandhu, Advocate
for the applicant-petitioner.

Mr. Balbir Singh Sewak, Addl. AG, Punjab.

VIVEK PURI,J. (ORAL)CRM-35597-2019

By way of filing this application, the applicant/petitioner seeks to add Sections 411 and 473 of IPC which are stated to have been added later on in the head note and the prayer clause of the above said petition.

For the reasons mentioned in the application, the same is allowed.

Registry is directed to do the needful.

CRM-M-46320-2019

Petitioner is seeking regular bail with regard to the case registered vide FIR bearing No. 57 dated 27.05.2019 under Sections 379-B, 34 of IPC, 1860 and under Sections 411 and 473 IPC registered at Police Station Mohkamura, District Police Commissionerate Amritsar on the basis of the statement of Nitin Mahindru alleging that on 16.05.2019, he alongwith his younger brother Saurav Mahindru were passing through Murgi Khana Wali Gali and at about 9.45 PM, two persons arrived on a motorcycle and snatched the mobile phone being carried

by the complainant in his left hand and they ran away on their motorcycle. The registration number of the motorcycle was noted down as PB-02-CC-3689.

It has been stated by the learned counsel for the petitioner that his arrest was effected on 27.05.2019. The complainant and his brother namely Saurav Mahindru have not supported the case of the prosecution qua the petitioner, during the course of deposition in the trial Court. Both of them have not identified the petitioner to be the person who has snatched the mobile phone. It has also been stated that there is no other eye-witness in the matter and at the most the offence will fall under Section 411 IPC.

Learned State counsel on instructions from ASI Jasvir has not disputed factual position

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

12.03.2020
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**(VIVEK PURI)
JUDGE**

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No