

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-4023-2021 (O&M)
Date of Decision:- 22.3.2021

Vipan Kumar ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Achin Gupta, Advocate, for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab,
assisted by ASI Gurmail Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.249, dated 11.11.2020, Police Station City, Kotkapura, District Faridkot, under Sections 379-B, 511 IPC.
2. The FIR was lodged at the instance of Surinder Kaur wherein it is alleged that on 11.11.2020 when she along with her husband had stopped near a fruit-vendor, two persons came on a motorcycle and out of whom one alighted from motorcycle and tried to snatch a gold chain worn by her but the complainant's husband caught hold of the

said person. It is further alleged that even the other person who was sitting on the motorcycle was caught by the shopkeepers present nearby. The person driving the motorcycle disclosed his name as Vipin Kumar while the other person disclosed his name as Neeraj Kumar.

3. The learned counsel for the petitioner has submitted that even if the allegations as mentioned in FIR are taken to be correct, the petitioner is not alleged to have attempted to snatch the gold chain of the complainant and that it is the co-accused who is alleged to have made an attempt to snatch the gold chain.
4. Opposing the petition, the learned State counsel has submitted that since both the accused had gone together riding motorcycle and an attempt had been made by both of them to snatch the gold chain, the complicity of the petitioner who was riding the motorcycle is clearly evident. The learned State counsel has however, informed that the petitioner as on date has been behind bars since the last about 4 ½ months and that he is not involved in any other case and that challan stands presented.
5. Having regard to the aforestated facts and circumstances of the case and while noticing that the petitioner has been behind bars since the last about 4 ½ months and is not stated to be involved in any other case, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail

bonds/surety bonds to the satisfaction of learned trial Court/Chief
Judicial Magistrate/Duty Magistrate concerned.

6. It is however, made clear that in case the petitioner indulges in any
other identical offence while on bail, the State would be at liberty to
move an application for cancellation of bail.

March 22, 2021
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No