

CRM-M-3992-2021

Date of Decision: 09.03.2021

JASMEET SINGH @ RAHUL

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr.Vishal Khatri, Advocate, for the petitioner.

Mr. Venu Gopal Jauhar, Sr. Deputy Advocate General, Punjab.

VIVEK PURI, J.(ORAL)

The matter has been taken up through video-conferencing due to COVID-19 pandemic.

Custody certificate dated 09.03.2021 of the petitioner is taken on record.

The petitioner has filed the present petition for grant of regular bail in case bearing FIR No.41 dated 22.03.2020 under Section 379-B of the Indian Penal Code (for short 'IPC') registered at Police Station Cantonment, District Amritsar.

Precisely, the allegations against the petitioner are with regard to snatching of mobile phone from the complainant and he was apprehended at the spot.

It has been contended by learned counsel for the petitioner that the petitioner is in custody for the last 11½ months; the investigation of the case is complete; challan has been presented in the Court and till date, no witness has been examined by the prosecution. It has been further stated that the petitioner is in custody in two other cases, one case i.e FIR No. 08 dated 18.10.2018 under Sections 109 and 151 IPC, Police Station Cantonment, Amritsar, wherein he is on bail and in another case i.e. FIR No.09.02.2019 under

Sections 25 of the Arms Act, his production warrants have been issued, but no effort has been made to effect his arrest though he is in custody for the last 11½ months in the present case which has been registered in the same district.

Learned State counsel, on instructions from ASI Rajender Singh, has not assailed the aforesaid facts, but has argued that there are serious allegations against the petitioner with regard to snatching of mobile phone.

In the instant case, the petitioner is in custody for the last 11½ months; the investigation of the case is complete and challan has been presented in the Court, but no witness has been examined by the prosecution so far. Furthermore, the petitioner is involved in two other case, but he is on bail in one case i.e FIR No. 08 dated 18.10.2018 and in another case i.e. FIR No.09.02.2019, the production warrants have been issued against him, but no effort has been made to effect his arrest despite the fact that he is in custody for the last 11½ months in the present case in the same district. No other case of similar nature is stated to be lodged or pending against the petitioner. In the present case, no witness has yet been examined and as such conclusion of trial is likely to take some time and no fruitful purpose will be served by detaining the petitioner in further custody.

In these set of circumstances, sufficient grounds are made out to extend the concession of bail to the petitioner and he is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned Duty Magistrate/Trial Court.

09.03.2021
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No