

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

**CRM-M-7828-2021 (O&M)
Date of Decision: 23.02.2021**

Anthony @ Rahul

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Prateek Pandit, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Balwant Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.158 dated 29.06.2019 at Police Station City Kapurthala, District Kapurthala, under Section 379-B IPC.
2. The FIR in question was lodged at the instance of Sikander Kaur, wherein it is alleged that on 29.06.2019, she alongwith her brother had gone to Kapurthala for shopping. At about 4 PM, when she was coming out of Sadar Bazar so as to sit on the motor-cycle of her brother, then one clean shaven person having fair complexion, who was wearing black T-shirt, came on a motor-cycle and snatched her purse and fled away on the motor-cycle. It is alleged

that canteen card and other important documents were there in the purse of the complainant.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that there is no evidence worth credence to connect him with the alleged occurrence and that he has been nominated as an accused after about 8 months of occurrence in question, when he was arrested in connection with some other case and is stated to have suffered a disclosure statement confessing his involvement in the instant case. It has been submitted that the petitioner does not even match the description of the accused as has been given by the complainant in the FIR. It has further been submitted that the bail application of the petitioner had been declined by the trial Court while observing that the petitioner happens to be involved in 8 other cases, whereas in fact he already stands acquitted in 6 of those cases.
4. Opposing the petition, learned State counsel has submitted that since the petitioner himself has confessed his guilt, no case for grant of bail is made out. Learned State counsel has not disputed the fact that the petitioner happens to be acquitted in 6 cases out of 8 cases in which he was involved earlier. Learned State counsel has, however, informed that the petitioner has been behind bars since the last 11 months.
5. I have considered rival submissions addressed before this Court.
6. Keeping in view the fact that the petitioner has been behind bars for a substantial period of 11 months and conclusion of trial is likely to consume time as till date only 1 PW out of cited 10 PWs

has been examined, no useful purpose would be served by detaining the petitioner behind bars. 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.

23.02.2021
Vimal

(GURVINDER SINGH GILL)
JUDGE

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