

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

**CRM-M-7817-2021 (O&M)
Date of Decision: 23.02.2021**

Naresh Kumar @ Babbu @ Rahul ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Chetan Bansal, Advocate, for the petitioner.

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

(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.290 dated 22.11.2020 at Police Station A- Division Amritsar, under Sections 379-B, 411, 34 IPC.
2. The FIR in question was lodged at the instance of Komal Sharma, wherein it is alleged that on 22.11.2020, when he was walking on foot near Celebration Mall while listening to mobile phone, two persons riding on a white coloured Activa scooter came there and the said boys snatched his mobile phone. The complainant immediately raised alarm and thereafter with the help of passersby, the said two persons were nabbed, who disclosed their names as Naresh Kumar @ Babbu @ Rahul and Sahil Sikandar.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case. It has been submitted that since co-accused Sahil has already been granted bail, the petitioner also deserves the same concession on the grounds of parity.
4. Opposing the petition, learned State counsel has submitted that since the petitioner was caught red-handed at the spot, no case for grant of bail is made out. It has been submitted that the petitioner cannot claim any parity with co-accused Sahil, as Sahil was extended the benefit of bail being a juvenile. Learned State counsel has, however, informed that the petitioner has been behind bars since the last 3 months and that challan already stands presented and that the petitioner is not involved in any other case.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case and while noticing that the petitioner has already been behind bars since the last about 3 months and that challan already stands presented and that he is not stated to be involved in any other case, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. 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**