

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

CRM-M-9051-2021 (O&M)

Date of decision: 28.04.2021

Sukhbinder Singh @ Chottna

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. S.K. Bishnoi, Advocate for the petitioner.

Mr. Karan Garg, AAG, Haryana.

H.S. MADAAN, J.

Case taken up through video conferencing.

This petition for regular bail has been filed by petitioner Sukhbinder Singh @ Chottna, an accused in FIR No.412 dated 12.09.2020, for an offence under Section 379-A IPC (Section 201 IPC added later on), registered with Police Station City Tohana, District Fatehabad.

Briefly stated the facts of the case as per prosecution story are that, on 11.09.2020 at about 8.15 PM, while Jatin son of complainant Mrs. Neelam wife of Vinder Kumar, resident of Ward No.12, Krishna Colony, New Vegetable Market Road Tohana, Tehsil Tohana, District Fatehabad was sitting outside the house having mobile phone make Samsung A7, then petitioner/accused Sukhbinder Singh @ Chottna snatched the said mobile phone from him and ran away; the matter was

reported to the police; formal FIR was recorded in the matter; the investigation in the case started; petitioner was nominated as an accused; he was accordingly arrested and he got recovered the snatched Samsung mobile phone, which was taken into possession.

Petitioner had filed a petition for regular bail before learned Sessions Judge, Fatehabad, however, the same was dismissed, vide order dated 15.02.2021. As such, he has approached this Court craving for grant of similar relief, by way of filing the present petition, which is being resisted by the State counsel.

I have heard learned counsel for the parties besides going through the record.

The petitioner is in custody since 04.12.2020. Though the challan is said to have been filed against him but its conclusion is likely to take some time, more particularly, when the working in the Courts at district level has been adversely affected on account of unprecedented situation due to outbreak of COVID-19. His guilt shall be determined during the trial. He is not stated to be involved in any other criminal case. The snatched mobile phone has already been recovered. Under the circumstances of the case, I find it a fit case to grant benefit of regular bail to the petitioner. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/CJM/Duty Magistrate, Fatehabad, subject to the following conditions:-

- (i) he shall appear in the Court on each and every date of hearing;
- (ii) he shall not give any threat or intimidation to the

prosecution witnesses;

(iii)he shall not indulge in any criminal activity;

(iv)he shall not leave India without prior permission of the Court and shall surrender his passport, if he has got one, otherwise to furnish affidavit in that regard;

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

28.04.2021

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(H.S. MADAAN)
JUDGE

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