

In virtual Court

CRM-M-11010-2021

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-11010-2021 (O&M)
Date of decision: 15.07.2021

Sajan Singh

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Harpreet Kaur, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.06 dated 17.01.2021 under Sections 379-B, 34 IPC, registered at Police Station City Kotkapura, District Faridkot.

Learned counsel for the petitioner relies upon the order dated 21.05.2021, vide which co-accused of the petitioner, namely Ravi Kumar has been granted the concession of regular bail. The operative part of the order reads as under: -

“...Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant

Sunny Singh, it is stated that on 16.01.2021, he was going on foot to his house and was playing a game on his mobile phone and in the meantime, co-accused Sajjan Singh and petitioner Ravi Kumar came there and snatched his mobile phone and ran away on a motorcycle. Thereafter, the complainant humbly requested them to return the said mobile phone but they did not return the same and when Sajjan Singh told him that they are not going to return the phone, the complainant got the present FIR registered.

Learned counsel for the petitioner further submits that from a bare perusal of the FIR, no offence is made out as the petitioner and the complainant are known to each other and accused have been falsely implicated in this case.

Learned counsel for the petitioner further submits that petitioner is in judicial custody for the last about four months and he is not involved in any other case.

Learned State counsel, on the basis of the custody certificate filed today in Court, has not disputed factual position. As per custody certificate, the petitioner is not involved in any other case. Learned State counsel submitted that Challan stands presented, however, charges are yet to be framed...”

For the sake of brevity, facts are not reproduced again.

Learned counsel for the petitioner submits that even the allegations against the petitioner are identical in nature and he is in custody for the last 05

In virtual Court

CRM-M-11010-2021

-3-

months and 23 days and is not involved in any other case.

Learned State counsel has filed the custody certificate dated 14.07.2021 in the Court today and has not disputed the factual position that the petitioner is not involved in any other case.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid submissions made by them and the fact that aforesaid co-accused of the petitioner has already been released on regular bail, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

15.07.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No