

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-16691-2021 (O&M)
Date of Decision:-9.11.2021

Kulwinder Singh ... Petitioner

Versus

State of U.T. ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Harsh Raheja, Advocate for the petitioner.

Mr. Amit Kumar Goyal, APP, U.T., Chandigarh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.13 dated 11.2.2020 at Police Station Sector-19, District Chandigarh under Sections 356 and 379-A of Indian Penal Code.
2. The FIR was lodged at the instance of Savita, wherein it is alleged that on 11.2.2020 while she was present in a park in Sector-18, Chandigarh, then at about 7:40 p.m. one person, who had come in a white coloured car, snatched her mobile phone and drove away in the said car.
3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that, in any case, since the co-accused Jasveer Singh, who is alleged to be owner of the vehicle in question, which was an OLA cab, has already been granted bail vide order dated

3.6.2020 (Annexure P-3), the petitioner being co-accused also deserves the same concession on grounds of parity.

4. Opposing the petition, learned State counsel has submitted that the petitioner cannot claim parity with the co-accused inasmuch as while the co-accused was merely driving the vehicle, it is the petitioner who had allegedly snatched the mobile phone, which was also recovered from him. It has, however, been informed that the petitioner as on date has been behind bars since the last 1 year, 8 months and 20 days and is not involved in any other case. Learned State counsel has also informed that till date only 1 out of cited 11 PWs has been examined.
5. I have considered rival submission addressed before this Court.
6. Without commenting anything as regards the merits of the case but while noticing that the petitioner has been behind bars for a substantial period of 1 year, 8 months and 20 days and otherwise has a clean record and that conclusion of trial is likely to consume time as only 1 out of cited 11 PWs has been examined till date, further detention of the petitioner will not serve any useful purpose. 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.

9.11.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No