

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

**CRM-M-18462-2021
Date of decision: 21.05.2021**

Ravi Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. S. S. Maini, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 06 dated 17.01.2021, registered under Sections 379-B, 34 of the IPC at Police Station City Kotkapura, District Faridkot.

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.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody for the last about four months; he is not involved in any other case and also in view of the fact that conclusion of trial is likely to take a long time as even the charges have not been framed so far, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

21.05.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No