

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.18227 of 2021 (O&M)

Date of Decision: July 16, 2021

Sukhdev Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Akhilesh Vyas, Advocate,
for the petitioner.

Mr. Ramandeep Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

CRM-18975-2021

Application is allowed. Order Annexure P-5 is taken on record.

CRM-M-18227-2021

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.206 dated 23.08.2017, under Sections 379-B IPC, 1860 and Sections 411 and 34 IPC (added later on), registered at Police Station, Chheharta, District Amritsar. The petitioner is in custody since his arrest on 09.09.2017.

As per the allegations in the FIR, on the date of occurrence at about 5.30 PM, complainant Sanju Sharma was going to her house after finishing job at the factory and when she reached near the street Vikas Nagar, two clean shaven young persons came on a motorcycle make Splendor from behind and snatched her purse and pushed her to the ground.

When she tried to get back her purse, the pillion rider gave a datar blow on her left wrist. She raised a cry, but the accused fled away from the spot after snatching her purse, which contained Rs.4000/-, two mobile phones Samsung along with SIMs, keys and documents. On these allegations, the present FIR was registered.

Learned counsel for the petitioner has argued that the petitioner is not named in the FIR, but later on has been falsely implicated. He submits that the co-accused of the petitioner, namely, Vijay Singh @ Khabri @ Vijay @ Vijay Kumar and Darpan Wadhva have already been released on regular bail vide orders Annexures P-2 and P-3. He contends that the petitioner is not involved in any other case of similar nature. He prays for bail.

On the other hand, the prayer is opposed by the learned State counsel, assisted by ASI Tejbir Singh. He has referred the custody certificate of the petitioner by way of affidavit of Hemant Sharma, PPS, Deputy Superintendent, Central Jail, Amritsar to contend that he is involved in another case of similar nature. According to him, out of total twenty six witnesses, sixteen have been examined so far, including the complainant.

After hearing the learned counsel for the parties, considering his custodial period and the fact that similarly situated co-accused of the petitioner have already been released on regular bail, this Court is of the opinion that the further custody of the petitioner may not be necessary for any useful purpose, who is presently confined in judicial custody after his arrest on 09.09.2017. Further, the prosecution is yet to examine its remaining witnesses and it may take considerable time to conclude the trial.

Resultantly, without meaning any expression of opinion on the

merits of the case, the petition is allowed and it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate, Amritsar.

July 16, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

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