IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 216 CRM-M-18627-2021
Date of decision : 14.09.2021

Karandeep ..... Petitioner

VERSUS

State of Punjab ..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.L.S.Mann, Advocate, for the petitioner.

Mr.J.S.Ghumman, DAG, Punjab.

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DEEPAK SIBAL, J. (ORAL)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.5 dated 10.01.2021, registered under Sections 379-B/34 IPC at Police Station Shahkot, District Jalandhar Rural.

The petitioner is being prosecuted for having snatched the complainant's purse containing cash and her mobile phone.

Seeking regular bail for the petitioner, learned counsel submits that the petitioner, who is a young man aged 18 years, has been falsely implicated in this case; he has suffered incarceration for over four months; investigation in this case is complete; the complainant has not identified the petitioner before the investigating agency; while the petitioner was on interim bail he has not misused such concession and that the petitioner's trial, which is yet to begin, will take a long time to conclude.

Learned State counsel admits that the complainant has not identified the petitioner before the investigating agency but opposes the grant of bail to the petitioner on the ground that a case under Section 379 IPC is pending against him.

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The effect of the complainant having not identified the petitioner before the investigating agency shall be considered during the course of the petitioner's trial. However, the petitioner, who is a young man aged 18 years, has suffered incarceration for over four months; investigation in this case is complete; he did not misuse the concession of interim bail granted to him by this Court and that the petitioner's trial, which is yet to begin, is likely to take a long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Jalandhar, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

14.09.2021 [DEEPAK SIBAL]
shamsher JUDGE

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No

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