

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.22022 of 2021

Date of Decision: July 26, 2021

Ravi Kumar

...Petitioner

Versus

Union Territory, Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sherry K. Singla, Advocate,
for the petitioner.

Mr. Abhinav Gupta, Addl.P.P.,
for U.T.Chandigarh.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.215 dated 19.11.2020, under Section 379-A IPC, 1860, registered at Police Station, Sector 36, Chandigarh, who is in custody since his arrest on 27.03.2021.

The above FIR was registered on the statement of complainant Chander Kesh Verma, who stated that on 17.11.2020, he was returning to his room from Sector 53 and when he reached at Sectors 52-53 dividing road, two boys came from Sector 53 and snatched his mobile, but he could not identify them.

Learned counsel for the petitioner has argued that the challan in this case was filed on 21.05.2021, but the charges are yet to be framed. According to him, considering the nature of the case, the further custody of the petitioner may not be necessary, particularly when he 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 Hemant Kumar, on the ground that the recovery of the mobile phone was effected from the petitioner. It is pointed out that the case before the trial court is fixed today for framing of charges. However, it is not disputed by him that the petitioner is not involved in any other case of similar nature.

After hearing the learned counsel for the parties, this court finds that the trial is yet to commence and as the petitioner is not involved in any other case, this Court does not find any reason to decline the prayer and, therefore, the further detention of the petitioner may not serve any useful purpose, who is presently confined in judicial custody after his arrest on 27.03.2021.

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, Chandigarh.

July 26, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No