

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

235

CRM-M-25395-2021

Date of Decision: 02.11.2021.

Nawab Din @ Aman

....Petitioner.

Versus

U.T. Chandigarh

...Respondent.

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

.....

Present: Mr. A.S. Sandhu, Advocate for the petitioner.

Mr. Sumit Jain, APP, U.T., Chandigarh.

(Through Video Conferencing)

JASJIT SINGH BEDI, J. (Oral)

Present petition under Section 439 of the Criminal Procedure Code has been filed for grant of regular bail to the petitioner in case F.I.R. No.228 dated 27.11.2020 under Sections 379-A, 356 IPC (Section 411 IPC added later on), registered at Police Station Sector-34, Chandigarh.

As per the prosecution version, an unknown person snatched a bag containing two mobile phones, the details of which have been given in the FIR itself. The case of the prosecution, thereafter is that the said numbers were put on tracing and ultimately it was found that one of the instrument/numbers was being used by co-accused Balwinder Kumar, who on his arrest disclosed that the said mobile phone was given to him by the present petitioner.

Learned counsel representing the petitioner contended that the petitioner is in custody since 18.06.2021 and since the trial of the case is not

likely to be concluded in the near future, further incarceration of the petitioner was not required, thus, the petitioner may be released on bail.

Learned counsel for respondent-U.T., Chandigarh has conceded that the challan has been presented only under Section 411 IPC and the charges have also been framed under the said section.

At this stage, without commenting upon the merits of the case, which may cause prejudice to either of the parties and taking into consideration the fact that the petitioner is in custody since 18.06.2021, no useful purpose would be served by detaining the petitioner behind bars any longer. Hence the present petition is allowed. The petitioner is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(JASJIT SINGH BEDI)
JUDGE

02.11.2021

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