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

CRM-M No.26850 of 2021

Date of Decision: 19.07.2021

TALWINDER SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. G.S. Bajwa, Advocate for the petitioner.

Mr. Sandeep Kumar, D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.119 dated 05.05.2021, registered under Sections 379-B/34 IPC (Sections 411/201 IPC added later on) at Police Station Maqboolpura, District Amritsar.

The FIR has been registered against three persons, who allegedly came from behind on the motorcycle and snatched away mobile phone of the complainant.

Learned counsel for the petitioner submitted that there is no material available with the prosecution to connect the petitioner with the alleged offence. No supplementary statement

of the complainant has been recorded. No test identification parade has been conducted. Petitioner has been named only on the basis of disclosure statement of co-accused.

On the other hand, learned State counsel submitted that the motorcycle belonging to the wife of the petitioner has been recovered.

Perusal of the FIR would show that no registration number of the motorcycle has come forth. It would be debatable whether the motorcycle belonging to the wife of the petitioner is involved in the occurrence or not. Petitioner is in custody since 05.05.2021. Challan has been presented on 29.06.2021.

At this stage, without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

July 19, 2021

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)

JUDGE

Yes/No

Yes/No