

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

209

CRM-M-32003 of 2020

Date of Decision: 23.07.2021

Vinay Kumar

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Ravi Malhotra, Advocate for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioner in case FIR No.94 dated 05.07.2019 under Sections 379-B, 506 and 34 IPC registered at Police Station Division No.3, District Ludhiana.

The FIR was lodged on the complaint of Minsar Alam, who stated that on 05.07.2019 when he was going to his work at about 10.00 a.m. and reached near Street No.4, Shivaji Nagar, Ludhiana two persons, who were riding motorcycle snatched his mobile phone after threatning him with a sickle. The complainant made inquiries and thereafter named the petitioner and co-accused as being involved.

The petitioner was arrested on 10.07.2019. On the disclosure of the petitioner sickle allegedly used in the crime had been recovered.

Learned counsel for the petitioner has argued that the petitioner is in custody since 10.07.2019. The investigation in the case

is complete and challan had already been filed.

On the other hand, learned State counsel opposed the bail on the ground that the petitioner is a habitual offender and is involved in four other cases of similar nature.

Learned counsel for the petitioner states that he on bail in the cases.

In view of the above and the fact that the trial is unlikely to conclude in near future more so in the wake of outbreak of pandemic COVID, no useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner-Vinay Kumar is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, Chief Judicial Magistrate, concerned.

However, in case the petitioner indulges in any similar activity while on bail, the prosecution agency will be at liberty to seek the cancellation of the order granting bail to the petitioner.

[HARINDER SINGH SIDHU]
JUDGE

July 23, 2021
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Whether speaking/reasoned
Whether reportable?

yes/no
yes/no