

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

Sr.No.271

**CRM-M No.40461 of 2021
Date of Decision: 13.12.2021**

Mirtunjay

...Petitioner

Versus

The State of U.T. Chandigarh

...Respondent

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Rohit Khullar, Advocate for the petitioner.

Mr. J.S. Toor, Additional Public Prosecutor,
for the respondent-UT.

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MEENAKSHI I. MEHTA, J. (ORAL)

By way of this petition, the petitioner seeks the relief of regular bail in the criminal case pertaining to the FIR bearing No.164 dated 21.08.2020 registered at Police Station Sector-36, Chandigarh (U.T.), under Sections 379-A, 411 read with Section 34 IPC, with the allegations that he, along-with his co-accused, snatched the purse of the complainant named Raje Singh Rawat containing ATM Card, Aadhar Card, copy of Voter Card and cash amount of Rs.1700-1800/- as well as his mobile phone and fled away.

Custody-certificate of the petitioner and the additional affidavit on behalf of the respondent-State, along-with Annexures R-1 to R-3 and the vernacular versions thereof, have been submitted in the Court and these documents are taken on the record.

Learned counsel for the petitioner has filed his Power of Attorney and the same is also taken on the record.

I have heard learned counsel for the petitioner as well as

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learned counsel for the respondent-UT in the instant petition and have also perused the file thoroughly.

Learned counsel for the petitioner contends that on the day of the alleged occurrence, i.e. 21.08.2020, the petitioner was behind the bars in connection with some other criminal case and moreover, he is in custody in the present case since 28.03.2021 and the Challan has already been presented and the statements of four (04) prosecution witnesses, including the complainant, have also been recorded in the trial Court and in these circumstances, the petitioner deserves the relief as prayed for in this petition.

Learned counsel for the respondent-UT does not dispute the above-referred factual position and rather, he submits that the offence under Section 411 IPC only, is made out against the petitioner in the present case.

Keeping in view the afore-discussed facts and circumstances as well as the fact that the trial of the case is likely to take sufficient time to conclude and without commenting or expressing any opinion on the merits of the case, the petitioner named Mirtunjay is ordered to be released on regular bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

The petition in hand stands allowed accordingly.

13.12.2021
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned Yes
Whether Reportable No