

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

CRM-M-43831 of 2021

DECIDED ON: 27th October, 2021

Akashdeep Singh @ Fauji

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Rishu Mahajan, Advocate for petitioner.

Ms. Monika Jalota, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 439 Cr.P.C. is filed seeking regular bail in case of FIR No. 89 dated 9.5.2021 under Sections 379-B, 411 read with section 34 IPC, registered at Police Station Majitha Road, Amritsar, District Amritsar.

Brief facts are that police received a secret information on 9.5.2021 that Shera, Heera and Akash Fauji (petitioner) are indulging in snatching, who have sold the snatched mobiles, are coming on a motor cycle bearing registration No.PB-02-BU-8441, apprehended Shera and Heera. As per the allegations, the petitioner was able to flee. Apprehended co-accused named the petitioner.

Petitioner applied for anticipatory bail which was not pressed. He surrendered before the police on 20.7.2021.

Learned counsel for the petitioner submits that earlier the petitioner was not apprehended from the spot. Both the co-accused who were present at the spot were granted bail.

Learned counsel for the State on instructions from ASI Gurmit Singh opposes the prayer for grant of bail. However, she fairly submits that two co-accused have been granted bail, investigation is complete and challan stands presented.

Considering the facts and circumstances of the case in totality, moreso that the petitioner was not apprehended from the spot; his name surfaced in disclosure statement; he has no criminal antecedents; conclusion of trial is likely to take time and two co-accused have been granted bail, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

27th October, 2021

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>