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

CRM-M-39664-2020

Date of Decision: 25.01.2021

Gourav Sharma @ Chotra**.. Petitioner****Vs.****State of Punjab****..Respondent****CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Kamal Narual, Advocate for the petitioner.
Mr. Ramdeep Partap Singh, DAG, Punjab.

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Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.161 dated 30.7.2020, under Section 379-B IPC, 1860, Police Station City Fazilka, District Fazilka. The petitioner is in custody since his arrest on 15.9.2020.

The FIR was registered on the statement of Mandeep Kaur w/o Charanjit Singh, who stated that she had a Mehroon colour lady purse containing mobile Make Realme CII, Rs.5000/-, Aadhar Card and passport size photo. On 27.7.2020, at about 1.26 p.m., when she was coming from Bikaner road holding the purse in her hand, two unknown persons came from backside and snatched her purse from her hand. She tried to catch hold of them, but the accused ran away. On these allegations, the present FIR was registered.

Learned counsel for the petitioner relies upon the order dated 17.11.2020 (Annexure P-3) passed by this Court in CRM-M-37418-2020, whereby his co-accused Rahul @ Shunty has been granted regular bail. He submits that the petitioner is not involved in any other case of similar nature, therefore, his further custody may not be necessary, as the

investigation of the case is complete and the charges are yet to be framed. He prays that the petitioner be released on regular bail during the pendency of the trial.

On the other hand, learned State counsel assisted by ASI Gurnam Singh, has opposed the prayer on the ground that the petitioner had snatched a purse containing a mobile phone, cash Rs.5,000/-, etc. from the complainant in the day light. He, on instructions further states that the investigation of the case is complete, but the charges are yet to be framed. He has produced the custody certificate of the petitioner filed by way of affidavit of Gurpreet Singh Sodhi, Deputy Superintendent, Sub Jail, Fazilka, which indicates that the petitioner is in custody for the last approximately four months and he is not involved in any other case of similar nature.

Considering the above background, custody of the petitioner and the fact that the co-accused of the petitioner has been released on bail, this Court does not find any reason to further detain the petitioner behind the bars, as the trial is likely to consume considerable time to conclude. This Court is cognizant of the fact that the outbreak of pandemic COVID-19 in the region may further delay the conclusion of trial.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate Fazilka.

The petition is allowed.

25.01.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE