

218-A

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

**CRM-M-1454-2022
Date of Decision: 06.04.2022**

Sonu Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Arjun Veer Sharma, Advocate for
Mr. Naveen Sharma, Advocate,
for the petitioner.

Mr. R.S. Thind, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.186 dated 29.10.2021, under Sections 379-B(2) & 411 of the IPC, registered at Police Station Dehlon, District Ludhiana.

Learned counsel for the petitioner has submitted that the petitioner is in custody, since 29.10.2021 and as per the allegations against the petitioner on the basis of a secret information received by the Police that some persons are into the business of snatching of mobile phones that the present FIR came to be registered only against the present petitioner, namely, Sonu Kumar and the other co-accused, namely, Jaswinder and thereafter the petitioner was arrested. He also submitted that as per the

allegations, there was a recovery of one mobile phone from the petitioner on the spot and thereafter, on his disclosure statement, three more mobile phones were recovered. He further submitted that the present case was planted upon the petitioner and it is not the case that the Police on the basis of some secret information has caught the petitioner on the place which has been mentioned in the secret information and the petitioner has got clean antecedents and is not involved in any other case, therefore, the petitioner may be considered for the grant of regular bail.

On the other hand, Mr. R.S. Thind, learned Deputy Advocate General, Punjab, has submitted that it is correct that the petitioner is in custody, since 29.10.2021 and after the completion of investigation of the case, the Police has already presented the Challan under Section 173 of the Cr.P.C before the competent Court.

I have heard the learned counsel for the parties.

The investigation of the present case has already been completed and as per the prosecution, the Police received a secret information pertaining to the petitioner and the other co-accused, namely, Jaswinder but on the designated place as per the learned counsel for the parties they were not apprehended and the petitioner was apprehended thereafter and allegedly there was a recovery of one mobile phone from him and thereafter on his disclosure statement, three more mobile phones were recovered. The petitioner is not involved in any other case and has got clean antecedents and no recovery is to be effected from him as per the learned counsel for the parties. The trial of the case may take long time, therefore, this Court deems it fit and proper to grant bail to the petitioner.

Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

06.04.2022*Bhumika***(JASGURPREET SINGH PURI)
JUDGE**

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| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |