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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1712-2022 (O&M)
Date of Decision:11.03.2022

Manjeet Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Surinder Kaur, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C, pending trial in case FIR No.183 dated 04.10.2021 registered under Sections 379-B and 34 IPC (Section 411 IPC added later on) at Police Station Daresi, District Ludhiana The petitioner is in custody since his arrest on 05.10.2021.

The FIR was registered on the basis of secret information and the allegations as noticed by the Id. Sessions Judge, Ludhiana in the order dated 18.11.2021 are as under:

“....the FIR was got registered on the basis of secret information received on 04.10.2021 that Deepak and Manjeet Singh, who were habitual of committing snatching, had snatched mobile phone from a woman near petrol pump, Salem Tabri on their motor cycle bearing No.PB-91-M-8620 and were apprehended by the public at the spot. Ruqa was sent for registration of the FIR and accused were apprehended.”

Learned counsel for the petitioner has argued that as per the

allegations in the FIR itself, the alleged commission of offence is debateable

and the petitioner was apprehended upon a suspicion that he is habitual in

committing the offence of snatching. According to her, the petitioner is not

involved in any other case and no article allegedly snatched from the petitioner was made a case property. She prays for bail.

Learned State counsel assisted by ASI Harbhajan Singh, has pointed out that after completion of investigation, the final report has been filed on 03.12.2021 and he further submits that the mobile phone allegedly snatched from the complainant is not a case property, as it was handed over to her by the persons, who apprehended the petitioner. He further states that the petitioner is not involved in any other case of similar nature.

After hearing the learned counsel for the parties, this Court finds that though the challan was presented on 03.12.2021, but the trial is yet to commence, therefore, it is evident that the conclusion of trial would take considerable time. Thus, the further detention of the petitioner behind the bars may not be necessary for any useful purpose, who is presently confined in judicial custody after his arrest.

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 concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

11.03.2022
Jasmine Kaur

Whether speaking/reasoned
Whether reportable

Yes No
Yes No