

233 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-5822-2022

Decided on: 17th February, 2022

Aakash

Petitioner

Versus

U.T. Chandigarh

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Dhiraj Chawla, Advocate for the petitioner.

Mr. Rajiv Vij, APP, U.T., Chandigarh.

AVNEESH JHINGAN, J (Oral):

1. Due to COVID-19 situation, the Court is convened through video conference.
2. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 33, dated 16th April, 2021, under Sections 379-A read with Section 34 IPC, later on added Section 356 and 411 IPC, registered at Police Station Mauli Jagran, U.T., Chandigarh.
3. The FIR was registered against the unknown persons alleging that on 16th April, 2021, mobile phone of the complainant was snatched. The names of the accused were nominated later.
4. Learned counsel for the petitioner submits that co-accused was granted bail from whom the snatched mobile was recovered, petitioner is in custody for more than nine months and no recovery is to be made from him. He further submits that investigation is complete and petitioner is not involved in any other case.
5. Mr. Rajiv Vij, APP, U.T., Chandigarh on instructions opposes

the prayer for grant of bail, however he is not in a position to dispute the fact that co-accused was granted bail and investigation is complete.

6. Considering the fact and circumstances in totality, without commenting upon the merits of the case, considering the custody period of the petitioner is nine months and twenty-seven days, conclusion of the trial is likely to take time and co-accused was granted bail by this Court, petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. The petition is allowed.

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

[AVNEESH JHINGAN]
JUDGE

17th February, 2022

Parveen Sharma

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