

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

CRM-M-16267-2022

Date of Decision:-26.04.2022

Rakesh.

.....**Petitioner.**

Versus

State of Punjab.

.....**Respondent.**

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Harchand Singh Batth, Advocate for the Petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The Prayer in this petition is for the grant of regular bail under Section 439 Cr.PC in case FIR No.33 dated 10.02.2022 under Sections 379B and 411 IPC registered at Police Station Sadar Amritsar, District Amritsar.

The brief facts of the case are that one Anita got registered the present FIR with the allegations that when she was going to the market one person with short hair came on a motor cycle from her backside and attempted to flee away by snatching her mobile phone. However, he slipped and was apprehended at the spot. On being apprehended he disclosed his name as Rakesh son of Rajbir Singh, the present petitioner.

The Counsel for the petitioner submits that the story as set out by the complainant is unbelievable. He further submits that the ingredients

of the Section 379-B IPC are not made out in the present case, since the petitioner was not armed with any weapon nor did he attempt to hurt her or try to restrain the complainant. He further contended that the petitioner is in custody since 10.02.2022. and the investigation already stands completed.

The Counsel for the State on the other hand contended that such kind of offences are on the rise and the petitioner was caught at the spot virtually red handed and as such did not deserve the concession of regular bail.

I have heard counsel for both the sides at length.

Admittedly the petitioner is of the age of 22 years and is a first time offender. His culpability shall be established during trial. He has been in custody since 10.02.2022 and the challan was submitted on 28.03.2022. As many as 12 prosecution witnesses are yet to be examined. Thus the trial of the present case is not likely to be concluded in near future.

Keeping in view the aforesaid facts, the further incarceration of the petitioner is not required. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner-**Rakesh** son of Sh. Rajbir Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

April 26, 2022
Vinay

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