

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

CRM-M-17523-2022

Date of Decision:-03.08.2022

Lovepreet Singh @ Raja & Anr.

.....Petitioners.

Versus

State of Punjab.

.....Respondent.

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

Present:- Mr. Gursimran Singh Bawa, Advocate for the Petitioners.

Mr. Sidakmeet Singh Sandhu, AAG 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.38 dated 03.03.2022 under Sections 379-B, 411, 34 IPC registered at Police Station Gharinda, District Amritsar.

The present FIR came to be registered on the statement of Ranjit Singh who stated that he was a driver by profession. On 03.03.2022 he was taking a walk after dinner when three young men on a motor cycle no.PB-02-BL-6624 came from rear and snatched his mobile phone Vivo Y53 Sim Number 98554-34240. On raising an alarm people gathered there and nabbed one of the assailants who disclosed his name as Gurpreet Singh @ Gopi (petitioner no.2) whereas the other two persons succeeded in running away whose names were not known to him. During the course of investigation petitioner no.1 came to be arrested.

The Counsel for the petitioners contends that infact petitioners along with their co-accused Vishal had an altercation with the complainant and they along with their co-accused had been badly beaten up by the complainant and his accomplices who with the help of police officials have

falsely implicated them in the present case. He contends that the petitioner no.1 was arrested on 5.3.2022 whereas petitioner no.2 was arrested at the spot on 3.3.2022. The challan already stand submitted and none of the prosecution witnesses have been examined so far. Even otherwise, petitioners have clean antecedents and as such they deserve the concession of regular bail.

The Counsel for the State on the other hand states that such kind of offences are on the rise and the petitioners do no deserve the concession of regular bail despite having undergone a substantial custody period. In fact, Lovepreet Singh-petitioner no.1 has got recovered a *Kirch* which was used to threaten the complainant while snatching his mobile phone.

I have heard learned Counsel for both the parties at length.

Admittedly, the petitioners are first time offenders. The report under Section 173(2) Cr.PC stands presented and none of the prosecution witnesses cited in the list of witnesses have been examined so far. The petitioners are in custody since 5.3.2022 and 3.3.2022 respectively and as such their further incarceration is not required as the trial is not likely to be concluded in near future.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioners-**Lovepreet Singh @ Raja** son of Sh. Major Singh and **Gurpreet Sigh @ Gopi** son of Sh. Nirmal Singh are ordered to be released on bail subject to the satisfaction of learned CJM/Duty Magistrate, concerned.

The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing that they are not involved in any other crime other than the present case.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 03, 2022
Vinay

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No