

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-25252-2022 (O&M)
Date of Decision:-4.7.2022

Kamalpreet Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Nandan Jindal, Advocate for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab,
assisted by ASI Balwinder Singh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.59, dated 7.4.2022, Police Station Division No.4, Patiala, District Patiala, under Section 379-B of Indian Penal Code.
2. The FIR in question was lodged at the instance of Rakesh Kumar, wherein it is alleged that on 1.3.2022 when he was going on foot to Hanuman Temple to pay obeisance and was near the light point of Sarhandi Gate, then at about 7:30 p.m. a white coloured car driven by an unknown driver stopped near him and the driver pushed him and snatched his mobile phone and sped away in his car. The complainant has stated therein that he had noted down the

registration number of the car i.e. Honda City as HR-70-B-8445 and could identify the driver in case he is brought before him.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that falsity of the case would be evident from the fact that there is a delay of 37 days in lodging the FIR though the complainant claims that he had noted down the registration number of the car in question at the time of occurrence itself i.e. on 1.3.2022. It has further been submitted that, in any case, investigation already stands concluded and challan already stands presented and, as such, his further detention will not serve any purpose.
4. Opposing the petition, learned State counsel has submitted that the petitioner had virtually confessed his guilt when he was arrested in connection with another case i.e. FIR No.11, dated 19.1.2022 registered at Police Station Fatehgarh Sahib, under Sections 379-B and 34 of Indian Penal Code. It has further been submitted that the petitioner had purchased the car in question as an affidavit of sale in his favour was also recovered from the car. Learned State counsel has further pointed out that since the petitioner happens to be involved in one more case, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court.
6. No doubt the registration number of the vehicle in question is specifically recorded in the FIR but the delay of 37 days in lodging the FIR remains unexplained. In any case, challan already stands presented and, as such, further detention of the petitioner is will not serve any useful purpose. The other case in which the petitioner is stated to be involved i.e. in FIR No.11, dated 19.1.2022 is a case where he came to be involved on the basis of

disclosure statement. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

4.7.2022

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No