

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-28086-2022 (O&M)
Date of decision: 27.10.2022

Sundaram

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Harish Bansal, Advocate and
Mr. R.S. Rawat, Advocate for the petitioner.

Mr. Subhash Godara, Addl. A.G. Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 88 dated 18.05.2022, registered under Section 379-B IPC and Sections 411 and 34 IPC added later on, at Police Station Bhargo Camp, District Jalandhar.

Learned counsel for the petitioner submits that the FIR was registered on the statement of Manpreet Kaur; that the petitioner has falsely been implicated in the present case; that as alleged, the petitioner and co-accused had snatched the mobile phone of the complainant; that the recovery of 06 mobile phones has been effected from the petitioner but the owners of those mobiles are unknown; the petitioner has been in custody since 20.05.2022; that there is no other pending or decided case of similar nature against the petitioner and that the challan against the petitioner and two other co-accused, Karan Kumar and Rohit Kumar, was presented on 01.08.2022 and that co-accused Rohit Kumar is on bail.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner is working on a mobile shop and he had actively participated in the alleged occurrence. However, he does not dispute the custody period of the petitioner and the fact that co-accused Rohit Kumar is on bail. He submits that the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties and have also gone through the paper-book.

The petitioner has been in custody since 20.05.2022. The owners of mobiles recovered from the petitioner have not been traced out by the investigating agency. Co-accused Rohit has been granted bail by the learned trial Court. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Moreover, as pointed out there is no other case against the petitioner. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

27.10.2022
Mangal Singh

(HARNARESH SINGH GILL)
JUDGE

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