

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

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CRM-M-35592-2021

Date of Decision: 03.08.2022

Sunny @ Chota Sunny

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Sandeep Sharma, Advocate, for
Mr. Veneet Sharma, Advocate, for the petitioner.

Mr. H.S.Multani, 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 against him vide FIR No.361 dated 17.12.2020 at Police Station Civil Lines, Amritsar, under Sections 379-B(2)/34 IPC.
2. The FIR was lodged at the instance of Vishva Mitter, wherein it is alleged that on 16.12.2020, when he was returning home on his Aactiva Scooter, then 3 young clean shaven persons waylaid him and snatched an amount of Rs.8200/-, his mobile phone and ATM card and also took away his Aactiva Scooter.
3. Learned counsel for the petitioner has submitted that he is nowhere named in the FIR and has been nominated as an accused on the basis of his own disclosure statement when he came to be arrested in connection with another case.

4. Opposing the petition, learned State counsel has submitted that the petitioner happens to be involved in 1 more case and as such, it is evident that he is an habitual offender. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 1 year & 2 months. It has also been informed that as on date charges have not been framed and as many as 12 PWs have been cited.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case and while also noticing that the petitioner has been behind bars for a substantial period of 1 year & 2 months and the trial has not even commenced till date as charges are yet to be framed, further detention of the petitioner will not be justified. 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.

03.08.2022

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**(GURVINDER SINGH GILL)
JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**