

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

CRM-M-32438-2022 (O&M)

Date of decision: 12.09.2022

Sahil

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sandeep Arora, Advocate for the petitioner.

Mr. I.P.S. Sabharwal, DAG 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. 39 dated 16.05.2021 registered under Sections 379-B, 511 IPC at Police Station Patara, District Jalandhar Rural.

Learned counsel for the petitioner submits that there is a delay of 04 days in lodging the FIR; that the FIR was registered on the statement of Rajmal; that the petitioner has falsely been implicated in the present case; that initially, the petitioner was arrested in FIR No. 80 dated 02.11.2021, registered under Sections 457, 380 IPC, at Police Station Patara, and in the said case, in his confessional statement, the petitioner admitted his involvement in the present case; that none of the prosecution witnesses, has been examined till date; that the allegation in the present case is that the petitioner along with co-accused had made an attempt to snatch the mobile phone and inflicted injuries on the person of the complainant and that the petitioner has been in custody for the last more than 05 months.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner has actively participated in the occurrence and while attempting to snatch the mobile phone of the complainant, the petitioner along with co-accused inflicted injuries on the person of the complainant and his wife with a *datar* and the petitioner is also involved in another FIR. However, he does not dispute the custody period of the petitioner and that there is no other case against the petitioner.

I have heard the learned counsel for the parties.

The petitioner has been in custody for the last more than 05 months. The petitioner was indicted in the present case on his own confessional statement recorded in case FIR No. 80 dated 02.11.2021, registered under Sections 457, 380 IPC, at Police Station Patara. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. 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.

(HARNARESH SINGH GILL)
JUDGE

12.09.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No