

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

218

CRM-M-33503-2022

Date of Decision : August 05, 2022

SONU AND ANOTHER

.....Petitioners

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. A.K.Gupta, Advocate
for the petitioners.

Mr. Randhir Singh Thind, DAG, Punjab.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioners in case FIR No.54 dated 18.3.2022 under Section 379-B IPC later on added with Section 482 IPC, registered at Police Station Tanda, District Hoshiarpur.

It has been submitted by the learned counsel for the petitioners that the petitioners are in custody since 18.3.2022. He submitted that the investigation has been completed and the challan has been presented and, therefore, they may be considered for the grant of regular bail.

On the other hand, the learned State counsel has submitted that it is a case where both the petitioners had come on a motor cycle and snatched the mobile phone from one Ajay who was an employee of the complainant on the pretext of killing him with a *kirpan* which one of the accused was holding in his hand and when they tried to flee, their motor cycle slipped on the road and they also received injuries and thereafter they were caught on the spot. He submitted that petitioner No.1 is also involved in two more cases of similar nature. He further submitted that

the complainant and the person from whom the mobile phone was snatched is a material witness and has not been examined till date and there is an apprehension that in case the petitioners are released on bail then they may not only influence the material witness but they may also repeat the offence considering the antecedents of petitioner No.1 and coupled with the fact that both the petitioners were caught on the spot.

I have heard the learned counsels for the parties.

Although the investigation of the case has been completed and the petitioners are in custody from 18.3.2022 but the argument raised by the learned State counsel that the material witness from whom the mobile phone was snatched by posing a threat of *kirpan* has not been examined and there is a reasonable apprehension that in case the petitioners are released on bail then they may repeat the offence or may influence the witnesses carries weight and cannot be ignored. Petitioner No.1 is also involved in two more cases of similar nature and both the petitioners were caught on the spot.

In view of the aforesaid facts and circumstances of the present case, this Court is of the view that the petitioners do not deserve the concession of regular bail.

Consequently, the present petition is dismissed.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

August 05, 2022

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(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No