

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 33051 of 2022 (O&M)

Date of Decision: 03.8.2022

Jacob Gill

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. S.K.Choudhary, Advocate
for the petitioner.

Mr. M.S.Nagra, AAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

CRM-26721-2022

The application is allowed as prayed for.

CRM-M-33051-2022

1. The instant petition has been filed under Section 439 Cr.P.C., seeking the indulgence of regular bail, to the petitioner.
2. In FIR bearing No. 18 of 6.5.2022, registered at Police Station GRP Pathankot, District Govt. Rly Police, offences constituted under Sections 379-B, 411 of the IPC, are embodied.
3. The incriminatory role, as assigned to the present petitioner, is of his, snatching at the crime site, a black colour mobile from the victim.
4. However, the learned State counsel submits, that the present petitioner was arrested at the crime site, and, also the recovery of the snatched mobile phone, was effected at the crime site.
5. Consequently, and, also when the investigations into the petition FIR are almost complete, thereupon, it is not deemed fit, and, appropriate to

unnecessarily fetter, and, curtail his personal liberty.

6. Moreover, the further reason, which constrains this Court to grant the indulgence of regular bail to the present petitioner, is comprised in the factum that, at this stage, no evidence has been adduced by the prosecution, suggestive of the fact, that in the event of the bail petitioner being enlarged on regular bail, there is every likelihood of his fleeing from justice, and/or, tampering with prosecution evidence.

7. Consequently, the instant petition is allowed, and, the petitioner-bail applicant is ordered to be released from judicial custody, if not required in any other case. However, the granting of bail to the bail applicant-petitioner, is subject to his furnishing personal and surety bonds in the sum of Rs. 50,000/- each, before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to his not tampering with prosecution evidence, and, his not influencing prosecution witnesses, and, besides also his appearing before the trial Court concerned, as and when directed to make his personal appearance unless validly exempted.

8. The afore observations are meant only for the disposal of the present petition, and, shall not affect the merits of the trial arising from the FIR (supra).

9. Copy dasti.

(SURESHWAR THAKUR)
JUDGE

August 03, 2022
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No