

CRM-M-37776-2021(O&M)

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

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**CRM-M-37776-2021(O&M)
Date of Decision: 21.01.2022**

JAIPAL @ SUNNY

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

(Through Video Conferencing)

HARNARESH SINGH GILL, J.(Oral)

CRM-34806-2021

This is an application for placing on record amended petition for the regular bail.

The counsel for the applicant-petitioner states that Section 411 IPC was added vide J.D No.33 dated 06.07.2021. It is further submitted that the applicant-petitioner came to know about addition of the said offence at the time of presentation challan on 17.09.2021.

Notice in the application.

Mr. Saurav Khurana, DAG Punjab accepts notice on behalf of the State.

Keeping in view the averments made in the application, the same is allowed and the amended petition is taken on record. Registry is directed to place the same at an appropriate place.

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Main Case

Prayer is for grant of regular bail to the petitioner in case bearing FIR No.119 dated 05.07.2021 registered under Sections 379-B IPC and Section 411 IPC (added later on) at Police Station Mahilpur, District Hoshiarpur (Annexure P-1).

Learned counsel for the petitioner states that there is a delay of 9 days in registration of FIR. It is further submitted that co-accused-Mani, who is involved in other cases, has been granted regular bail by the trial Court on 09.12.2021. It is further submitted that the allegation against the petitioner and co-accused is that they have snatched the purse containing Rs.1000/- and a mobile phone.

Learned State counsel stated that though there is no case registered or pending against the petitioner, yet the offence of Section 379-B IPC, being against the Society at large, the petitioner does not deserve the concession of bail. It is further submitted that if granted concession of bail, the petitioner may again involve himself in similar offences.

I have heard learned counsel for the parties.

Challan has already been presented. The petitioner has been in custody for the last more than six months. There is no other case registered or pending against the petitioner. Moreover, co-accused-Mani, has been granted bail by the trial Court on 09.12.2021. Prosecution witnesses are yet to be examined. The trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

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

(HARNARESH SINGH GILL)
JUDGE

21.01.2022
Amandeep

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