

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

213

CRM-M-35859-2022

Date of Decision : 12.10.2022

Mohd. Sanjay @ Jaggu

.... Petitioner

Versus

State of U.T. Chandigarh

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. Jatinder Kumar Kamjob, Advocate
for the petitioner.

Mr. Avinash Kumar, Advocate for
Mr. Kuldeep Tiwari, Addl. Public Prosecutor
for the respondent-U.T. Chandigarh.

ASHOK KUMAR VERMA, J. (ORAL)

The petitioner has filed the present petition under Section 439 read with Section 482 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.124 dated 09.08.2021 registered under Sections 379-A and 356 of the Indian Penal Code, 1860 at Police Station Sector-34, Chandigarh.

The above-said FIR was registered on a complaint made by complainant Anurag Morya alleging that on 09.08.2021 he was going from his home to Sector-32, Chandigarh. When he reached near St. Annes School, Sector-32, Chandigarh, two unknown boys came on motorcycle and snatched his mobile phone and ran away from the spot. During investigation the police arrested the petitioner and co-accused Vishal @ Vishu on 18.08.2021.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. The FIR was registered against some unknown persons. The name and description of the petitioner is not mentioned in the FIR. Even no recovery has been effected from the petitioner. The petitioner was arrested on 18.08.2021

and since then he is in judicial custody. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Therefore, the petitioner may be released on regular bail.

Per contra, learned State counsel opposed the petition in terms of status report dated 10.10.2022 and custody certificate dated 12.10.2022 filed in the Court today which are taken on record. Learned State counsel submits that the challan has been presented in the Court on 07.02.2021 and charges have been framed against the petitioner on 20.12.2021. Out of 11 prosecution witnesses, 05 have already been examined. The petitioner is also involved in five other cases which shows that he is a habitual offender.

I have heard learned counsel for the petitioner as well as the learned State counsel and gone through the paper-book.

Keeping in view the facts and circumstances of the case, the fact that out of 11 prosecution witnesses, 05 have already been examined and the trial is likely to be concluded very soon and involvement of petitioner in five other cases, I am of the considered view that the petitioner does not deserve the concession of regular bail.

In view of the above, the present petition is dismissed.

12.10.2022

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**(ASHOK KUMAR VERMA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No