

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

214

CRM-M-41023-2022

Date of decision : 17.10.2022

Guriqbal Singh @ Arjun

Petitioner

V/S

State of Punjab

Respondent

CORAM : HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Ms. G.K. Mann, Senior Advocate with
Mr. Amritpal Singh Mann, Advocate
for the petitioner.

Mr. Gurpreet Singh Sandhu, D.A.G., Punjab
for the respondent-State.

ASHOK KUMAR VERMA, J. (ORAL)

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.147 dated 05.05.2022 registered under Sections 379-B, 411, 473 and 34 of the Indian Penal Code, 1860 at Police Station Civil Lines, District Police Commissionerate, Amritsar.

Brief facts of the case are that on 05.05.2022 when the complainant-Jaspreet Singh along with his cousin Harman Singh standing near over-bridge in the area of Railway Station, Amritsar, the petitioner along with co-accused Raghbir Singh came in the motorcycle and co-accused Raghbir Singh, who was the pillion rider, snatched mobile phone of the complainant and sped away but the motorcycle slipped and both the accused fell on the ground and were apprehended by Harman Singh with the help of other persons from the public.

Learned counsel for the petitioner has submitted that the

petitioner has been falsely implicated in the present case. Co-accused Raghbir Singh, who was pillion rider, has allegedly snatched the mobile phone from the complainant. The petitioner was not even aware what he has done while sitting on his bike. Recovery has been effected from co-accused Raghbir Singh who has already been granted bail by the Juvenile Court. The petitioner is not involved in any other case. The petitioner was in custody since 05.05.2022. 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.

Learned State counsel has opposes the present petition in terms of reply filed by way of an affidavit dated 10.10.2022 of Sh.Varinder Singh Khosa, PPS, Assistant Commissioner of Police, North, Amritsar City which is taken on record. Learned State counsel submits that the petitioner along with his co-accused has committed a serious offence. Challan has been filed on 04.07.2022 and charges are yet to be framed.

Custody certificate dated 15.10.2022 has been filed by learned State counsel which is taken on record. As per the custody certificate the petitioner is in custody for more than 05 months and he is not involved in any other case.

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

Keeping in view the facts and circumstances of the case, the custody period of the petitioner, the facts that the petitioner is not involved in any other case, co-accused Raghbir Singh has already been

granted concession of regular bail and also the fact that the trial is likely to take long time but without commenting anything on merits of the case, the present petition is allowed.

The petitioner-Guriqbal Singh @ Arjun is ordered to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

17.10.2022
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(ASHOK KUMAR VERMA)
JUDGE

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