

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-46762-2022(O&M)
Date of Decision: 17.10.2022

Satpal

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rajesh Gupta, Advocate, for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No. 276 dated 15.07.2022, under Sections 379A, 34 IPC (Section 411 IPC added later on), registered at Police Station Rai, District Sonipat.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and he is in custody from 15.07.2022. He submitted that the investigation of the case has been completed and thereafter, the challan has been presented before the competent Court. He further submitted that the petitioner has been named on the basis of the disclosure statement made by the co-accused and even otherwise also the subject matter of the alleged theft in the present case was only one mobile phone. He further submitted that the petitioner is not a

habitual offender and is not involved in any other case and has been falsely implicated in the present case and therefore, he may be considered for the grant of regular bail.

On the other hand, Mr. Naveen Singh Panwar, learned Deputy Advocate General, Haryana has submitted that it is correct that the petitioner is in custody from 15.07.2022 and investigation of the case has been completed. He further submitted that the petitioner fled away from the spot and the other co-accused was apprehended and on his disclosure statement, the petitioner was nominated. He further submitted that it is correct that the subject matter of the theft was only one mobile phone and the petitioner is not involved in any other case. He has however opposed the grant of bail to the petitioner on the ground that the incident of snatching is increasing day by day and there is likelihood that the petitioner may repeat the offence in case the petitioner is released on bail.

I have heard the learned counsel for the parties.

The petitioner is in custody from 15.07.2022. The petitioner is stated to be not involved in any other case and is not a habitual offender. The investigation of the case has already been completed and thereafter, the challan has been presented before the competent Court. As per the learned counsel for the parties, the petitioner was nominated on the basis of the disclosure statement made by the co-accused.

In view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant regular bail to the petitioner.

Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the

satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

17.10.2022

(JASGURPREET SINGH PURI)

rakesh

JUDGE

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