

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

**CRM-M-57224-2022
Date of decision : 14.12.2022**

Rahul Kumar	versus	 Petitioner
State of Punjab		 Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Ranjodh Singh Sidhu, Advocate
for the petitioner.

Mr. Jaiteshwar Singh, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.67 dated 01.06.2022, registered for offences punishable under Sections 379-B and 34 of IPC (Sections 411 and 201 IPC added later on) at Police Station Division C, District Amritsar.

2. Counsel for the petitioner submits that the case was registered on the basis of secret information. There is no cogent piece of evidence that link the petitioner to the present case. Snatched mobile was recovered from possession of co-accused. There is no criminal antecedents attributable to the petitioner. Further relies upon order dated 18.11.2022 passed in CRM-M-47022-2022 (Annexure P-4), whereby co-accused Rajesh Kumar has been granted concession of regular bail. He further contends that the challan already stands presented and the investigation stands concluded, even the charges have been framed and the petitioner is in custody since 01.06.2022.

3. State counsel does not dispute the aforesaid factual assertions based on the records of the case.

4. I have heard counsel for the parties and have gone through the records of the case.

5. Keeping in view the incarceration already suffered by the petitioner bail and the fact that the petitioner has been nominated on the basis of secret information source of which has not been disseminated, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

6. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

14.12.2022

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Whether speaking/reasoned : Yes

Whether Reportable : No