

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

CRM-M-58492-2022 (O&M)

Date of Decision: 21.12.2022

SHIVAM

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Gurdarshan Singh, AAG Pujab.

DEEPAK MANCHANDA J.

The petitioner is seeking regular bail in the case bearing FIR No. 124 dated 08.07.2022, registered under Sections 379-B/201/411 of the Indian Penal Code at Police Station Ranjit Avenue, District Amritsar City.

As per the allegations leveled in the FIR, when complainant Gauravdeep Singh was driving an Activa and attending a call on his mobile, two clean shaven persons came on a motorcycle from behind and snatched his mobile phone.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR and has been implicated falsely and is behind bars since 08.07.2022. He submits that the investigation of the case is complete and challan stands filed on 05.09.2022. He further submits that the petitioner is not involved in any other case of similar nature. He prays that as the trial of the case is yet to commence, therefore, the petitioner be released on regular bail during the pendency of the trial.

On the other hand, learned State counsel assisted by ASI Surjit Singh has opposed the aforesaid prayer and filed his custody certificate.

However, he has not disputed that the investigation of the case is complete and the challan stands filed

Considering the above background, custody of the petitioner and the fact that challan has already been filed, but the trial is yet to commence, further no useful purpose will be served by keeping the petitioner in further incarceration.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

The petition is allowed.

21.12.2022
S.Gulati/Ajay Goswami

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No