

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.3991 of 2023
Date of decision: 28th March, 2023

Sonu
... Petitioner
Versus
State of Punjab
... Respondent

CORAM: HON’BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ashish Aggarwal, Advocate for the petitioner.
Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. for grant of the concession of bail in case bearing FIR No.411 dated 01.09.2022 under Section 379-B IPC registered at Police Station Islamabad, District Amritsar City.

Learned counsel for the petitioner inter alia contends that the occurrence in question took place on 01.09.2022 and as per the complainant, on the fateful day, one unidentified person came from behind, on a motorcycle and snatched a polythene bag from her which contained her purse and PAN cards along with cash amounting to ₹2,500/-. Learned counsel submits that the petitioner came to be nominated as an accused subsequently, after 15 days, on the basis of supplementary statement of the complainant, recorded on 15.09.2022, wherein for the first time she named the petitioner. It has been submitted that the investigation is complete and hence in the

circumstances, further incarceration of the petitioner, who has been in custody since 17.12.2022, would serve no useful purpose. Learned counsel has further submitted that the petitioner has no criminal past, much less being involved in a case of similar nature.

Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has not been able to controvert that the petitioner is not involved in any other criminal case, much less a case of similar nature. He, however submits that the motorcycle, which the petitioner was riding at the time of occurrence, and two Aadhaar Cards belonging to the complainant were recovered from the petitioner.

I have heard learned counsel for the parties and perused the relevant material on record.

The petitioner has now been in custody since 17.12.2022 and challan stands presented. The trial will take considerable time to conclude. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to allow the instant petition. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

March 28, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No