

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

CRM-M No.5016 of 2023

Date of decision: 14th February, 2023

Sunny Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sandeep Gahlawat, Advocate for the petitioner.

Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (O&M)

Petitioner in the instant petition filed under Section 439 Cr.P.C. is seeking concession of regular bail in case bearing FIR No.141 dated 30.11.2022 under Section 379-B IPC registered at Police Station Kotwali Nabha, District Patiala.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the case in hand pursuant to a disclosure statement made by co-accused Harshit Mattu. While drawing the attention of this Court to the allegations levelled in the FIR in question, which has been annexed as Annexure P-1, he submits that the petitioner was not named in the FIR and even the mobile phones allegedly snatched from the complainant were recovered from co-accused Harshit Mattu. Learned counsel further submits that the petitioner is a man of clean antecedents as he is not involved in any other criminal case, much less a case of similar nature. Learned counsel submits that in the circumstances, further incarceration of the petitioner would serve no useful purpose.

Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has not been able to dispute the submissions made that no recovery of mobile phones, allegedly snatched from the complainant, was effected from the petitioner. He, on instructions has also not disputed that the petitioner's name was nominated as an accused in the case in hand in pursuance of a disclosure statement made by co-accused, from whom the alleged recovery of mobile phone was effected. Learned State counsel on further instructions submits that the petitioner was accompanying the co-accused Harshit Mattu at the time of the crime in question. He submits that the next date of hearing fixed before the trial Court is 01.03.2023, when charges are likely to be framed.

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

In the facts and circumstances as enumerated hereinabove, this Court deems it fit to allow the instant petition as the trial shall take considerable time to conclude. 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

February 14, 2023

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No