

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-9359-2023

Date of Decision: 27.4.2023

Saurabh Kumar

....Petitioner

VERSUS

State of Punjab and another

....Respondents

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. R.S.Braich, Advocate and
Mr. Lakshay Khanna, Advocate,
for the petitioner.

Mr. C.L.Pawar, Addl. AG, Punjab.

KARAMJIT SINGH, J. (Oral)

Prayer in the present petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in case FIR No.240 dated 29.11.2021 registered for the offences punishable under Sections 379-B, 34, 411 IPC at Police Station Jamalpur, District Ludhiana.

The allegations in nutshell against the petitioner are that he along with his two companions snatched mobile phone and wallet containing ₹ 150/- belonging to complainant-Rohit Raj on 29.11.2021.

During investigation of the case, the petitioner was arrested on 29.11.2021.

Counsel for the petitioner *inter alia* contends that the petitioner was falsely implicated in the present case and is incarcerated for the last about 1 year and 5 months; that now the matter has been compromised with the complainant and copy of compromise deed is (Annexure P-3). He further submits that co-accused/Mukesh Kumar is already granted

concession of regular bail by this Court vide order dated 6.12.2022 (Annexure P-8). So, prayer is made that the petitioner be enlarged on regular bail.

Present petition is resisted by the State counsel who on instructions from ASI Swarn Chand submits that the petitioner is named in the FIR and that now the trial is going on. However, the State counsel has not disputed the fact that the petitioner is in custody for last about 1 year and 5 months and that co-accused Mukesh Kumar is ordered to be released on bail vide order Annexure P-8 dated 6.12.2022.

Mr. Manoj Kumar Chopra, Advocate who has filed power of attorney on behalf of respondent No.2, has admitted the factum of compromise and is having no objection if the present petition is allowed.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

April 27, 2023
Paritosh Kumar

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