

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7799-2023

DECIDED ON: 17.02.2023

RAHUL KAPOOR @ KANDA @ TOTA

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Balbir Singh Saini, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

This is a petition seeking regular bail in FIR No.0219, dated 07.07.2022, under Section 379-B of IPC, 1860 and Sections 411, 201 of IPC, 1860 added later on, registered at Police Station Civil Lines, District Police Commissioner, Amritsar.

Learned counsel for the petitioner contends that the present FIR initially lodged on 07.07.2022 (Annexure P-1) against the unknown persons and the petitioner was not named therein. He further submits that the allegation subsequently against the petitioner came forth is alongwith other persons and he snatched a purse consisting of Rs.25,000/- in cash and two mobile phones.

Learned State counsel has produced the custody certificate of the petitioner, which is taken on record. According to the custody certificate, petitioner is behind the bars for the last 6 months and 9 days. He states that

there are two other cases of similar nature pending against the petitioner and he is not on bail in those cases. He further states that since the petitioner was not named therein and has been arrayed as accused on subsequent investigation and disclosure statement of the other co-accused added with the fact that recovery stands effected wherein challan stands presented on 08.11.2022 and the custodial interrogation of the petitioner is not required.

In light of the above no fruitful purpose would be served by keeping the petitioner behind the bars, therefore, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition is, hereby, allowed.

(SANDEEP MOUDGIL)
JUDGE

17.02.2023

Meenu

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