

219 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11579-2023

DECIDED ON: 14th MARCH, 2023

AKASHDEEP SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Piyush Sharma, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for the grant of regular bail to the petitioner in FIR No. 104, dated 19.12.2022, under Sections 379-B of the IPC, 1860, (Section 411 IPC added later on), registered at Police Station Talwandi Bhai, District Ferozepur.

Learned counsel for the petitioner contends that the story putforth by the prosecution is concocted one, wherein allegations of snatching of mobile phone has been made along with the other person sitting on pillion seat of the motorcycle and infact an altercation took place in open market and during the said altercation, the mobile phone of the complainant fell down, which has been given a colour of snatching the mobile phone by lodging the instant false FIR.

On the other hand, learned State counsel has produced the custody certificate of the petitioner today in Court, which is taken on record. According to the custody certificate, the petitioner is behind the bars for the last 2 months and 22 days and is not involved in any other case of any nature.

Looking into the totality of facts and circumstances and also the fact that the petitioner is behind the bars for the last 2 months and 22 days and also the fact that the petitioner is not involved in any other case, which shows that the petitioner does not have such credentials or criminal background and, therefore, the chances of false implication cannot be ruled out.

The petitioner is ordered to be released on bail subject to his furnishing personal and surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate concerned.

The present petition is allowed in view of afore-said terms.

14th MARCH, 2023
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(SANDEEP MOUDGIL)
JUDGE

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