

CRM-M-12200-2023

DECIDED ON: 16.03.2023

RAHUL PASSI

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. G.S. Verma, 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. 254, dated 10.10.2022, under Sections 379-B (2) & 34 IPC (Sections 379 and 411 IPC added later on), registered at Police Station Division No.5, District Ludhiana.

Learned counsel for the petitioner has contended that the petitioner is in custody since 10.10.2022. He has further contended that in fact the alleged recovery is totally false and recovery of the snatched mobile phone has already been effected.

Custody certificate of the petitioner filed by learned State counsel is taken on record. According to the said certificate the petitioner has suffered incarceration for a period of 5 months and 3 day as of now and is not involved in any other case of any nature. He prays for dismissal of the present petition on the ground that allegation against the petitioner is that he alongwith his co-accused snatched the mobile of the complainant.

Keeping in view the custody undergone by the petitioner as of now and the fact that challan stands presented wherein, the conclusion of trial shall take

would be served by keeping the petitioner behind the bars for an indefinite period.

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

In view of afore-said terms, the present petition stands allowed.

However, it is made clear that anything stated hereinabove, shall not be construed as an expression of opinion on the merits of the case.

16.03.2023

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(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>