

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

213

CRM-M-14962-2023

Date of Decision: 29.05.2023

Sonu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Ravi Malhotra, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

GURBIR SINGH, J.(ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 500 dated 26.12.2022 under Section 379-B of IPC, 1860, registered at Police Station Zirakpur, District SAS Nagar.

2. The case was registered at the instance of Manpreet Kaur. As per the allegations, on 25.12.2022 at 10:00 a.m., she was going to grocery shop to take milk. Three boys came from the front side. Out of them, one was Kuldeep, who was already known to the complainant. He started talking with her. She was holding her mobile phone in her hand. Said phone was second hand phone purchased by her and she did not have any bill of the same. Kuldeep snatched the phone and ran away. The two other persons

were accompanying him, so, when she tried to catch Kuldeep, then two other persons caught hold of her and scuffled with her. They also tried to run away. Out of them, one was caught hold by the complainant. In the meantime, the people had gathered there and the said person was Sonu i.e. the petitioner. Then his family members came at the spot. They told that they would get her phone returned but her phone was not returned by them.

3. Learned counsel for the petitioner submits that the petitioner is in custody since 26.12.2022. No recovery is to be effected from the petitioner. If any, offence was committed by co-accused Kuldeep and not by the petitioner. It is further submitted that the petitioner is aged about 42 years but the complainant made statement that three boys had come. A person of 42 years would not be described as a boy. He has been falsely implicated.

4. The State counsel has opposed the petition. It is submitted that he was arrested at the spot. He has fairly conceded that the petitioner is in custody since 26.12.2022. Challan has already been presented against the petitioner.

5. Heard.

6. The petitioner is in custody since 26.12.2022. No other case is pending against the petitioner, the completion of trial will take long time, no useful purpose would be served by keeping the petitioner behind bars for a long period.

7. Accordingly, without commenting upon the merits of the case, the present petition is allowed and the petitioner is directed to be released on regular bail, on his furnishing bail bonds/ surety bonds, to the

satisfaction of learned trial Court/ Duty Magistrate, concerned.

8. However, nothing contained herein above shall be construed as an expression of opinion on the merits of the case.

(GURBIR SINGH)
JUDGE

29.05.2023

Satyawan

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No