

257 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22599-2023

Decided on:-21.12.2023

Lovepreet @ Love

....Petitioner..

vs.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Sandeep Arora, Advocate
for the petitioner.

Mr. G.S. Dhillon, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial, in case bearing FIR No.211, dated 10.12.2022, registered under Sections 379-B, 34 and 411 IPC, at Police Station Division No.7, Jalandhar.

2. In the present case, the petitioner has been implicated with the allegations of snatching the mobile phone make Samsung fixed on Activa and a sum of Rs.7000/- from the complainant.

3. Learned counsel for the petitioner submits that in order to show his *bona fide*, the petitioner is ready to deposit a sum of Rs.20,000/- with the Trial Court.

4. On the other hand, prayer made herein has been opposed at the instance of learned State counsel while submitting that there is one more FIR registered against the petitioner under the provisions of NDPS Act, thus, he

prays for dismissal of the present petition.

5. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

6. Though, there is one more case of NDPS Act pending, but in that case, he is already on bail.

7. In the present case, petitioner is behind the bars for the last more than 01 year now and the investigation in the present case already stands concluded with the filing of challan, followed by framing of charges, but so far only two prosecution witnesses (including complainant) have been examined out of total of 12 witnesses. Thus, considering the aforesaid facts, I do not find any reason to extend the incarceration of the petitioner any further.

8. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. The aforesaid amount of Rs.20,000/- as volunteered by learned counsel for the petitioner shall be deposited by the petitioner at the time of submissions of bail bonds before the Trial court/Duty Magistrate and the same be disbursed in favour of complainant after verification.

9. It is made clear that this order may not be construed as expression of an opinion on the merits of the case.

21.12.2023
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(HARKESH MANUJA)
JUDGE

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