

(205) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23064-2023

Date of Decision:12.05.2023

Chamkaur Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present : Mr. Shakti Mehta, Advocate for the petitioner.

Mr. Mohit Chaudhary, A.A.G. Punjab.

SANDEEP MOUDGIL, J. (Oral)

This petition under Section 439 Cr.P.C has been filed for grant of regular bail to the petitioner in FIR No.23 dated 19.03.2023 registered under Sections 379B, 411 (added later on) IPC at Police Station City Samana, District Patiala.

Learned counsel for the petitioner contends that allegations qua the petitioner are that co-accused namely Gurdeep Singh @ Deepa has actually snatched the Iphone 13 blue clour after giving push to the complainant. The investigation is complete and challan has been presented. No further investigation is required nor any recovery is to be effected as the snatched mobile has been recovered from Gurdeep Singh @ Deepa who is in custody.

Learned State counsel on the other hand has produced custody certificate which shows that the petitioner has undergone 1 month and 22 days and is not involved in other case which shows antecedents of the petitioner to be clear and at best can be said to be first time in such an offence in which he has been falsely implicated on the basis of disclosure statement of the co-accused.

Considering the totality of facts and circumstances of the case

particularly the fact that investigation is complete and nothing is to be recovered from the petitioner as well as custody already faced by the petitioner during the pendency of the trial which is likely to take sufficient time to conclude, this petition is allowed and the petitioner is ordered to be released on bail subject to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

12.05.2023
rajeev

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No