

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

CRM-M-26144-2023

Decided on:-29.05.2023

Vikas Bains

....Petitioner..

VS.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

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

Mr. Amit Shukla, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 Cr.P.C, prayer has been made for grant of regular bail in case FIR No.146 dated 18.12.2022, under Section 379-B(2), 34 and 411 IPC, registered at Police Station Daresi, Ludhiana.

2. As per the allegations, petitioner along with his accomplice snatched a mobile phone from the complainant by showing him sharp iron knife.

3. Learned counsel for the petitioner submits that the petitioner has already suffered incarceration for more than 5 months, the trial is likely to take some time and thus, he prays for grant of concession of regular bail. He further submits that even, petitioner volunteers to deposit a sum of Rs.20,000/- in the name of complainant.

4. On the other hand learned State counsel opposes the prayer made on behalf of the petitioner while submitting that petitioner is involved

in one another case of similar nature, though, he is on bail.

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

6. Considering the fact that the petitioner has already suffered incarceration for the last more than 5 months, investigation in the present case already stands concluded with the filing of challan followed by framing of charges on 12.04.2023; and the fact that none of the prosecution witnesses has been examined so far, trial is likely to take some time, I do not find any justified reason to extend his incarceration any further. As regards involvement of the petitioner in one another case of similar nature is concerned, he is already on bail.

7. In view of the above, without expressing any opinion on the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail bonds and surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate, besides it, the petitioner to deposit a sum of Rs.20,000/- before the trial court at the time of his release, which shall be disbursed in favour of the complainant.

29.05.2023
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(HARKESH MANUJA)
JUDGE

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