

**2023:PHHC:078542**

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

**CRM-M-26503-2023**

**Date of Decision: 30.05.2023**

**SONY**

**... PETITIONER**

**VS.**

**STATE OF PUNJAB**

**.. RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present : Mr.Dhruv Gupta, Advocate  
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

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**VIVEK PURI, J.(ORAL)**

1. The petitioner is seeking regular bail in the case bearing FIR No.2 dated 03.01.2023 under Sections 379-B(2)/34 IPC (Section 411 IPC added later on) registered at Police Station Verka, District Police Commissionerate, Amritsar.

2. Custody certificate has been placed on record.

3. Learned counsel for the petitioner contends that the allegations in the FIR are with regard to snatching of mobile phone from the complainant. The FIR has been registered against three persons and one of the assailants is stated to be armed with *datar*. The petitioner has been nominated on the basis of disclosure statement of Farman Ali, co-accused. The petitioner is in custody for a period of 04 months and 06 days and not involved in any other case. The investigation of the case is complete and challan has been presented.

4. Learned State counsel has opposed the bail application on the score that the location of the person carrying the stolen property i.e. mobile phone was verified and accordingly Farman Ali, co-accused was arrested.

The mobile phone of the complainant has been recovered from him. Furthermore, the petitioner has been nominated on the basis of the disclosure statement of Farman Ali and the motorcycle used in the crime has been recovered from him. Besides, *datar* has been recovered from another co-accused, Farmandeen.

5. It is significant to note that there is no reference to the use of motorcycle in the FIR. The recovery of mobile phone has been effected from the co-accused. The petitioner is in custody for a period of 04 months and 06 days and not involved in any other case. The investigation of the case is complete and challan has been presented. The conclusion of trial is likely to take some and no useful purpose will be served by detaining the petitioner in further custody.

6. In such circumstances, sufficient grounds are made out to extend the concession of bail to the petitioner. Accordingly, without making any observation 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/surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate//Duty Magistrate.

**30.05.2023**  
smriti

**(VIVEK PURI)**  
**JUDGE**

Whether speaking/reasoned : Yes/No  
Whether Reportable : Yes/No