

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CRM-M-27454-2023  
Date of Decision.:02.08.2023

Rahul .....Petitioner  
Vs.  
State of U.T., Chandigarh .....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sunil Kaushik, Advocate  
for the petitioner.

Mr. Gurjeet Singh Saini, Advocate for  
Mr. Charanjit Singh Bakhshi, APP,  
U.T., Chandigarh.

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DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of this petition under Section 439 Cr.P.C in case FIR No.0151 dated 05.12.2022 registered under Sections 323, 341, 379-A, 506/34 of the IPC (Section 411 of the IPC added later on) registered at Police Station Mauli Jagran, U.T., Chandigarh.

2. Allegations are that two boys stopped the complainant Parmod Yadav on the night intervening 04/05.12.2022 and snatched key of his auto besides his mobile phone, important papers and ₹1,500/- after giving beatings to him. During investigation, the snatchers were identified to be Rahul and Surinder Singh. As per the police report which was filed before the Court of learned Additional Sessions Judge, Chandigarh, SIM Card of the complainant and ₹1,500/- were recovered from the possession of petitioner Rahul.

3. It is contended by learned counsel for the petitioner that

CRM-M-27454-2023

petitioner is not named in the FIR; that he has been falsely implicated & similarly placed co-accused Surinder Singh had already been allowed regular bail by this Court vide order dated 24.03.2023 in CRM-M-14169-2023.

4. Reply dated 01.08.2023 by way of an affidavit of Shri P. Abhinandan, Danips, Deputy Superintendent of Police has already been filed as per which charges have already been framed and out of 11 witnesses cited by the prosecution 01 witness has been examined so far.

5. Learned State counsel conceded that no Test Identification Parade was conducted in order to show that complainant ever identified the petitioner during investigation.

6. As per custody certificate placed on record by learned State counsel, petitioner is in custody since 07 months and 28 days, though he is involved in one more case.

7. Having regard to all the aforesaid facts and circumstances but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

August 02, 2023  
Neetika Tuteja

(DEEPAK GUPTA)  
JUDGE

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|---------------------------|--------|
| Whether Speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |