

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

(215)

**CRM-M-29843 of 2023
Date of Decision: 31.10.2023**

Yudhveer Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Akshit Grover, Advocate, for
Mr. Tania Mahajan, Advocate, for the petitioner.

Mr. Sandeep, Additional Advocate General, Punjab
Assisted by ASI Naresh Kumar.

KULDEEP TIWARI, J.(ORAL)

1. Through instant petition, filed under Section 439 Cr.P.C., the petitioner seeks regular bail in FIR No.18 dated 02.02.2023, under Section 379B(2) and 341 of Indian Penal Code, 1860, registered at Police Station Beas, Amritsar Rural, Punjab (Annexure P-1), during the pendency of trial.

2. The allegation against the petitioner is that one Parvat Milakar submitted a complaint on dated 02.02.2023, and stated that on dated 01.02.2023, two persons came on motorcycle and gave a blow of rod on his wrist and upper arm and also snatched mobile phone and ran away. Thereafter, on dated 27.03.2023, i.e. about one and half month later, the supplementary statement of the complainant was recorded wherein, he disclosed the name of the present petitioner and other accused Harsh being the person who committed the said offence. On the basis of supplementary statement (supra), the petitioner was arrested on dated 27.03.2023.

3. Learned counsel for the petitioner submits that there is a huge delay in disclosing the name of the applicant at the behest of the complainant and the identification of the accused is yet to be established.

4. On the other hand, learned State counsel opposes the prayer for grant of regular bail to the petitioner on the ground that on disclosure statement of the present petitioner, mobile phone, which was snatched by the petitioner, was got recovered by him and the same was duly identified by the complainant.

5. Learned State counsel has submitted that investigation has been completed in this matter and the final report under Section 173 Cr.P.C. was filed before the learned Illaqa Magistrate, through SHO concerned on dated 25.05.2023. The prosecution has cited 12 witnesses in the final report.

6. Learned counsel for the petitioner submits that petitioner is languishing in jail since 25.05.2023 and he is not involved in any other criminal case and completion of trial would take long time as charges are yet to be framed.

7. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

31.10.2023
anil

(KULDEEP TIWARI)
JUDGE

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