

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

229+230

CRM-M-31806-2023

Surkhabjeet Singh @ Surkhab
Vs.
State of Punjab

....Petitioner
....Respondent

CRM-M-32174-2023

Gurmail Singh
Vs.
State of Punjab

.....Petitioner
.....Respondent
Date of Decision.:27.07.2023

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Simran Grewal Randhawa, Advocate
for the petitioner in CRM-M-31806-2023.

Mr. L.M. Gulati, Advocate for the
petitioner in CRM-M-32174-2023.

Mr. Randeep Singh Khaira, DAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

The petitioners are seeking regular bail by way of these petitions under Section 439 Cr.P.C in case FIR No.0032 dated 22.02.2023 registered under Section 379-B & 411 of the IPC registered at Police Station Jandiala, District Amritsar Rural.

2. FIR was lodged on the complaint of Angrej Singh as per which on 03.02.2023 he was riding his Activa bearing registration No. PB-02-DJ-6665, when at about 09:30 p.m. he was waylaid by three unknown persons who also came on an Activa and who snatched his mobile make Samsung M2 as well as the Activa.

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3. It is contended by learned counsel representing both the petitioners that though the alleged occurrence took place on 03.02.2023 but the FIR has been registered on 22.02.2023 i.e. after delay of 19 days. None of the petitioners are named in the FIR. They have been implicated on the basis of secret information.
4. Learned State counsel opposes the bail petition by submitting that recovery of the snatched Aactiva was effected from petitioner Surkhabjeet Singh @ Surkhab whereas the snatched mobile was recovered from petitioner Gurmail Singh. However, he concedes that there is unexplained delay of 19 days in lodging the FIR.
5. As per the custody certificate, both the petitioners are in custody for the last 04 months and 24 days. Petitioner Surkhabjeet Singh @ Surkhab has no criminal antecedents whereas petitioner Gurmail Singh is stated to be involved in two more cases.
6. Having regard to the aforesaid facts and circumstances, and also the fact that trial may take long time to conclude but without commenting anything further on the merits of the case, both the petitions are allowed and petitioners are admitted to bail on their furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

July 27, 2023

Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No