

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

217

CRM-M-36528-2023
Date of Decision: 02.08.2023

Amritpal Singh @ Sonu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Manoj R. Sharma, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

AVNEESH JHINGAN, J. (Oral)

1. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR mentioned below :-

FIR No.	Date	Police Station	Sections
121	11.09.2022	Ghuman, District Gurdaspur	379-B, 201 and 34 IPC, 1860

2. As per the case set up, Harjinder Singh stated that on 11.09.2022, while he along with his wife were riding motorcycle bearing registration No. PB18M 3994, two persons on a motorcycle having muffled faces, snatched Rs. 3500/- and purse containing other documents from the pocket of his kurta. The petitioner during interrogation in FIR No. 164 of 2022 under Section 379-B IPC, Police Station Ghoman confessed his involvement in the present FIR and Rs. 400/- were recovered from him.

3. Learned counsel for the petitioner submits that it is a case of

false implication due to involvement of the petitioner in another FIR under

Section 379-B IPC. The amount recovered at the instance of the petitioner cannot be connected with the alleged snatching incident. He further submits that no test identification parade was carried out. It is further submitted that the investigation is complete, no further recovery is to be made.

4. Learned State counsel opposes the prayer and submits that the complainant had identified the petitioner in the police station.
5. Without commenting on the merits of the case, considering the nature of recovery at the instance of the petitioner. Prima facie contents of the FIR and stand taken by State counsel are not in consonance; though investigation is complete conclusion of trial is likely to take time and the petitioner is in custody since 21.11.2022, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.
6. The petition is allowed.
7. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
8. Since the main case has been allowed, the pending application(s), if any is rendered infructuous.

(AVNEESH JHINGAN)

JUDGE

02.08.2023

Rajeev (rvs)

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