

(227)

2023:PHHC:110042

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40213 of 2023

Date of Decision: August 23, 2023

Deepak Kumar @ Deepa
Versus
The State of Punjab

...Petitioner
...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Harmanpreet Singh, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case FIR No.329 dated 27.12.2022 registered under Sections 379-B(2), 34, 201 (added later on) IPC at Police Station Cantonment, District Police Commissionerate, Amritsar.

It is contended by learned counsel for the petitioner that alleged occurrence took place on 25.12.2022 when three persons armed with datar, iron toka etc., allegedly snatched away ₹7,800/- from complainant Shamu after giving beatings to his cousin Paras. Learned counsel further contends that though as per the FIR, complainant on checking the CCTV footage allegedly came to know about the name of snatchers to be Dhamma, Bholu and Deepa (present petitioner) but still FIR was lodged on 27.12.2022, i.e. after two days of the occurrence. Learned counsel further contends that no recovery has been effected from the petitioner; that there is no MLR showing any injury to the complainant or his cousin. It is also contended that petitioner is not involved in any other case and has been falsely implicated in the present

case.

Notice of motion.

Mr. R.S. Khaira, DAG, Punjab, accepts notice on behalf of the respondent- State.

Learned State Counsel has placed on record the custody certificate revealing that the petitioner is in custody for the last 07 months and 09 days. He has no other criminal case pending against him. It is also conceded that no recovery was effected from the petitioner.

Having regard to the afore-said facts and circumstances, and that further investigation of the trial may take time to conclude but without commenting anything on the merits of the case, petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Chief Judicial Magistrate/ Duty Magistrate concerned.

Disposed of.

August 23, 2023

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(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No