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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-44101-2023
Date of Decision: 12.09.2023

Nikhil Bhatia

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Amritpal Singh Sohal, Advocate,
for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case bearing FIR No.120 dated 15.06.2023, under Sections 379-B & 34 IPC, registered at Police Station Cherehta, District Amritsar.

2. Learned counsel for the petitioner submitted that the petitioner is in custody since 15.06.2023 and investigation of the case has already been completed and challan has also been presented before the competent Court. He further submitted that the petitioner is not involved in any other case and has clean antecedents and therefore has prayed that he may be considered for the grant of regular bail.

3. On the other hand, Mr. Sarabjit Singh Cheema, learned DAG, Haryana has submitted that although the custody of the petitioner is almost 3 months and investigation of the case has been completed but it is a case where

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the petitioner along with co-accused had come on motorcycle and snatched a mobile phone from the complainant, who is a lady and submitted that no prosecution witness has been examined till date. He further submitted that the menace of snatching is increasing and there is likelihood that in case the petitioner is released on bail then he may repeat the offence or may even influence the witness including the complainant or may abscond or flee from justice.

4. I have heard the learned counsels for the parties.

5. Although the petitioner is in custody for about three months but the argument raised by the learned State counsel that at least the complainant needs to be examined before considering the grant of bail to the petitioner, does carry weight and cannot be ignored. Therefore, considering the gravity of the offence and the stage of the case, this Court does not deem it fit and proper to grant regular bail to the petitioner.

6. Consequently, the present petition is hereby dismissed.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

12.09.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

1. Whether speaking/reasoned	Yes/No
2. Whether reportable:	Yes/No