

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

CRM-M-49658-2022 (O&M)

Date of Decision: 17.01.2023

AKASHDEEP SINGH @ RAHUL

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. L.M. Gulati, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG Punjab.

DEEPAK MANCHANDA J.

The petitioner is seeking regular bail in the case bearing FIR No. 124 dated 08.07.2022, under Sections 379-B of the Indian Penal Code (Sections 411/201 IPC added later on), registered at Police Station Ranjit Avenue, District Amritsar.

Custody certificate filed and the same is taken on record.

Learned counsel for the petitioner contends that petitioner has been falsely implicated in the present case as the complainant failed to provide any description of the persons riding on the motorcycle who snatched his mobile phone and even failed to provide registration number of motorcycle and further contended the petitioner is in custody since 11.07.2022, no other case of similar nature is pending against the petitioner and challan already stands presented. He also claims parity with the co-accused Shivam, who has been granted regular bail by this Court vide order dated 21.12.2022.

On the other hand, learned State Counsel assisted by ASI Surjit

Singh has opposed the aforesaid prayer and filed his custody certificate.

However, he has not disputed the fact that investigation of the case is complete and the challan stands filed.

Having heard learned counsel for the parties and gone through the case file and custody certificate, it is significant to note that the petitioner is in custody for a period of 06 month and 09 days. Investigation of the case has been completed. Conclusion of the trial shall take considerable long time. No useful purpose would be served by keeping the petitioner in further incarceration.

As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

17.01.2023
Ajay Goswami

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No