

219 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-47767-2023

Date of Decision:11.10.2023

Surjit Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Nitin Sharma, Advocate
 for the petitioner.

Mr. M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.147 dated 01.08.2023 registered under Sections 379-B, 411 of IPC, at Police Station Sidhwan Bet, Ludhiana.

2. As per the case of the prosecution, the FIR in the present case was registered on the basis of the statement made by Ranjit Kumar, who stated that at about 7.30/8.00 P.M. on 31.07.2023, he was going on his cycle and had crossed the village Bhundri. In the meantime, two persons came on a motorcycle and snatched his mobile phone after threatening him. The complainant had seen one of them standing at Kotman Chowk. If the raid was conducted, he could be apprehended at the spot. Consequently, the raid was conducted and the petitioner was arrested on the same day i.e. on 01.08.2023.

3. Learned counsel for the petitioner contends that the FIR was initially registered against unknown persons and without collecting any

incriminating evidence, the petitioner was wrongly arrested by the police on 01.08.2023. He further contends that in the present case, the investigation has been completed by the police and the challan has already been presented against the petitioner. Even the mobile phone, which was allegedly snatched by the accused, has already been recovered by the police, during the course of investigation. Learned counsel further contends that the petitioner is the first offender and his further custody will not serve any meaningful purpose.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner.

5. I have heard learned counsel for the parties and perused the record.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

11.10.2023
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(N.S.SHEKHAWAT)
JUDGE

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