

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

236

CRM-M-51643-2023

Date of Decision.:30.10.2023

Daljinder Singh @ Dulla

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

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

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.97 dated 18.06.2023 registered under Sections 379-B, 34 of the IPC, 1860 (Section 411 of the IPC, 1860 added later on) registered at Police Station Dakha, District Ludhiana Rural.

2. The allegations of the prosecution (as contained in the order dated 12.09.2023 of learned Additional Sessions Judge, Ludhiana) are that on 24.05.2023 at about 01:15 p.m., when complainant Mandeep Singh was going on his motorcycle and reached near a brick-kiln, three unidentified persons came on a motorcycle, snatched his bag containing ₹42,500/- besides purse containing ₹3,300/-, two ATM cards and registration certificate of his motorcycle.

3. The learned counsel for the petitioner has contended that though

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the alleged occurrence took place on 24.05.2023 but FIR has been lodged on 18.06.2023 i.e. after delay of 25 days. It is further the contention that nothing has been pointed out as to on what basis, the petitioner has been arrested as it was disclosed by the complainant that he had come to know later on that his bag and wallet had been taken away by the petitioner and others.

4. Status report not filed on behalf of respondent- State, despite opportunity. Custody certificate placed on record by learned State counsel reveals that petitioner is in custody for the last 04 months and 10 days. Though petitioner is involved in other cases also but learned State counsel could not disclose the reasons for delay of 25 days in lodging the FIR nor could refute the contention as to how the complainant came to know about the identity of the petitioner as one of the snatchers. As such, it will be a matter of trial as to whether petitioner was in fact, snatcher or not.

5. Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

October 30, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No