

(208)

2023:PHHC:059151

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

CRM-M-54068 of 2022

Date of Decision: April 26, 2023

Paramdeep Singh @ Pamma ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Isha Goyal, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

By way of this petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.221 dated 10.08.2022 registered under Section 379-B IPC at Police Station Sadar, Amritsar, District Police Commissionerate, Amritsar.

Complainant Amrinder Kumar was talking on mobile to his family members when two youths came on a bike, snatched his mobile and fled away. Occurrence was recorded in a CCTV footage.

It is contended by learned counsel for the petitioner that though the alleged occurrence took place on 06.08.2022 but FIR has been lodged on 10.08.2022 and that no recovery has been effected from the petitioner. Rather, petitioner and the co-accused were standing on the road, when they were arrested by the Police. Learned counsel also submits that though petitioner is involved in two more cases as per details given in para No.14 of the petition, but he is on bail in both these cases.

Status report by way of affidavit of Varinder Singh Khosa,

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Assistant Commissioner of Police, North, Amritsar City filed, as per which during investigation of another case FIR No.251 dated 10.08.2022, petitioner Paramdeep Singh @ Pamma and co-accused Avtar Singh @ Nand were arrested on 06.08.2022, on the basis of secret information and during personal search of co-accused Avtar Singh alias Nand, the snatched mobile was recovered from him. As per the disclosure statement suffered by both the accused, at the relevant time, Avtar Singh was driving motor-cycle and Paramdeep Singh @ Pamma (petitioner) had snatched the mobile. It is also submitted that during further investigation, the accused were identified by the complainant.

Refuting the aforesaid contention, learned counsel for the petitioner drawn attention towards the fact that though the FIR was lodged on 10.08.2022, but as per the status report, petitioner and co-accused were already arrested on 06.08.2022 and by that time, even the complaint had not been made.

Having regard to the factual position as above, and the custody certificate placed on record, as per which petitioner is in custody for the last 08 months and 15 days with no criminal antecedents, the present petition is allowed and the petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned.

April 26, 2023

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(DEEPAK GUPTA)
JUDGE

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