

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 56724-2022 (O&M)
Date of Decision: 11.01.2023

Rohit Bhardwaj

... Petitioner

V/s.

State of Punjab

... Respondent

CORAM: **HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present : Mr. Ankit Gupta, Advocate
for the petitioner.

Mr. Madhur Sharma, AAG, Punjab.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 136 dated 12.06.2022, under Section 379-B of IPC (Section 411 IPC added later on) registered at Police Station City Hoshiarpur, District Hoshiarpur, who is alleged to have snatched a mobile phone.

Learned counsel for the petitioner contends that the petitioner is in custody since 13.06.2022. He submits that the petitioner has been falsely implicated in the present case as the recovery of the alleged mobile phone has been effected from the co-accused Kishan Chand alias Sajan and there is no other case pending against the petitioner herein. He further submits that the challan stands presented and the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Custody certificate has been filed by the respondent-State, which is taken on record.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from ASI Deepankar Singh, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature but does not dispute the fact that the challan stands presented on 02.08.2022 and that nothing has been recovered from the petitioner herein.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 13.06.2022.

It is not a case made out by the respondent-State that the concession of bail if granted to the petitioner would hamper the course of free and fair trial. Further, since the challan stands presented and there is no other case pending against the petitioner and the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars

Resultantly, without meaning 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 trial Court concerned.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

11.01.2023

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<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes /No</i>