

2023:PHHC:147767

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

233

CRM M-57595-2023

Date of Decision: 21.11.2023

Ashok Kumar

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. P.K.S. Phollka, Advocate for the petitioner.
Mr. M.S. Bajwa, DAG, 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 a regular bail in case FIR No.0286 dated 30.09.2023 registered under Sections 379-B, 506 and 34 IPC at Police Station Civil Lines, District Bathinda.

2. The FIR in the present case was initially registered on the basis of the complaint moved by Mantun Chaudhary. As per him, at about 11.30 p.m. on 29.09.2023, two young boys came on a motorcycle and demanded his phone. The said accused took away his phone and, thereafter, they searched his clothes and snatched Rs. 600/- from his pocket also. The complainant alleged that Ashok Kumar son of Tara, Sewa Kumar son of Ramesh and Arun son of Bablu were involved in the occurrence. With these broad allegations, the FIR in the present case was got registered by the complainant.

3. Learned counsel for the petitioner submits that the petitioner was arrested in the present case on 30.09.2023 and is in

custody since then. Even the mobile phone, which was allegedly snatched, has already been recovered. The investigation in the present case is almost complete and further custody of the petitioner will not serve any meaningful purpose.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner has been specifically named in the present case.

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

6. The petitioner was arrested in the present case on 30.09.2023 and the mobile phone has already been recovered from the accused. Apart from that, the parties were also known to each other and further custody of the petitioner will not serve any meaningful purpose.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

21.11.2023

(N.S.SHEKHAWAT)

amit rana

JUDGE

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