

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

211

**CRM-M-60413-2022
Date of decision: 06.01.2023**

Parkash Singh @ Vijay

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gagandeep Singh Bajwa, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

This is the first petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.121 dated 13.09.2022 lodged under Sections 379-B and 201 of the Indian Penal Code, 1860 registered at Police Station C-Division, Amritsar City.

Learned counsel for the petitioner submits that the petitioner has been in custody since 13.09.2022 and the trial is unlikely to conclude in the near future as only challan stands presented. While inviting the attention of this Court to the allegations levelled in the FIR which has been annexed as Annexure P-1, learned counsel submits that though the occurrence in question allegedly took place on 27.08.2022, however, the FIR in question was lodged almost one month later on 13.09.2022, wherein for the first time the complainant named the petitioner and alleged that she had come to know that it was the petitioner who along with co-accused had snatched her mobile phone.

Per contra, learned State counsel while opposing the prayer

and submissions made by the counsel opposite, on instructions from ASI Satnam Singh, has not been able to dispute the factual aspect of the submissions made by the counsel opposite that the FIR was lodged after one month of the alleged occurrence. Learned State counsel further on instructions submits that the challan stands presented and the next date fixed before the Trial Court is 16.01.2023 when charges are likely to be framed.

I have heard learned counsel for the parties and perused the material placed on record.

The petitioner has now been in custody since 13.09.2022 and as apprised by the learned State counsel on instructions, he is not involved in any other criminal case much less of similar nature. The trial is unlikely to conclude in the near future.

In the facts and circumstances as enumerated hereinabove, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

06.01.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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