

CRM-M-60093-2022

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2023:PHHC:056384

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-60093-2022

Date of Decision: 21.04.2023

Amritpal Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

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

Mr. Jaspal Singh Guru, AAG, Punjab.

ASHOK KUMAR VERMA, J. (ORAL)

Custody certificate dated 21.04.2023 filed by learned counsel for the State is taken on record.

The petitioner has filed the instant petition under Section 439 Cr.P.C., for grant of regular bail in case FIR No. 158 dated 06.07.2022 registered under 379-B/411 IPC at Police Station Tanda, District Hoshiarpur.

Briefly, the aforesaid FIR was registered on the statement of complainant-Dharampal to the effect that on 06.07.2022, his sister Jaswinder Kaur and brother-in-law Sabbi, had come to his house. At about 6:30 P.M., when he was in the street and was talking with some one on mobile phone make Vivo having SIM card bearing No. 62844-26433 of his brother-in-law and then from the back side three

clean shaved persons came on Hero Honda motorcycle bearing registration No. PB-06-AM-6658 and snatched the mobile phone from the complainant and ran away. They chased them on the motorcycles and were apprehended in the fields. On the basis of statement of complainant, formal FIR was registered.

Learned counsel for the petitioner, *inter alia* contends that petitioner has falsely been implicated in the instant case. The stolen mobile phone was recovered from co-accused-Gurpinder Singh @ Binda. Nothing has been recovered from the petitioner. The motorcycle bearing registration No. PB-06-AM-6658 used in the commission of crime was not in the name of the petitioner. He is not involved in any other case. Co-accused of the petitioner, namely; Banti @ Bunty Singh, has already been released on bail by the trial Court vide order dated 01.03.2023. Petitioner is in custody since 06.07.2022. He is not involved in any other case. Trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Thus, it is prayed that he may be released on regular bail.

On the other hand, learned counsel for the State vehemently opposed the submissions made by learned counsel for the petitioner. However, learned counsel for the State fairly conceded the fact that petitioner is not involved in any other case.

Keeping in view the facts and circumstances of the case, custody period of the petitioner and also the fact that he is not involved in any other case, but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular

bail.

Therefore, the petition is allowed and petitioner, namely; Amritpal Singh, is ordered to be released on regular bail on furnishing of bail/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

21.04.2023
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No