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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-63372-2023 (O&M)

Date of Decision: 21.12.2023

Arif

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Navmohit Singh, Advocate
for the petitioner.

Mr. Gaurav Gurcharan Singh Rai, DAG, Haryana.

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 regular bail to him in case FIR No.199 dated 30.09.2023 registered under Sections 379-A of IPC, at Police Station Buria, Yamuna Nagar.

2. As per case of the prosecution, at about 7.30 p.m. on 30.09.2023, the complainant Dukhan Kumar was present at Bibipur, Amadalpur Road and two unknown boys snatched his Samsung Android Mobile Phone having Airtel SIM and also snatched his purse containing Rs.1200/-. The complainant raised a noise and on seeing the passersby, both the said boys fled away towards sugarcane fields, after leaving their motorcycle. During the course of investigation, it was found that Ajay Singh and Arif, petitioner had snatched the mobile phone and a sum of Rs.1,000/- from the complainant. After arrest of the petitioner on 02.10.2023, an amount of Rs.1,000/- was recovered from him.

3. Learned counsel for the petitioner contends that the petitioner was

arrested in the present case on 02.10.2023 and the recovery of Rs.1,000/- has already been effected from him. He further contends that the petitioner is in custody since 02.10.2023 and the challan has already been presented against him. The conclusion of the trial may take quite a long time.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner.

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

6. The petitioner is in custody for the last more than 02 months and the investigation has been completed against him. The trial has not even formally commenced against him and the trial Court may take considerable time in concluding the trial.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

21.12.2023
hemlata

(N.S.SHEKHAWAT)
JUDGE

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