

**2024:PHHC:006699**

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

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**CRM-M-1580-2024  
Date of Decision: 18.01.2024**

Harmandeep Singh @ Harman  
Singh

...Petitioner

Vs.

State of Punjab

...Respondent

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

**Present:** Ms. Sukhveer Kaur, Advocate  
for the petitioner.

Mr. Mohit Chaudhary, AAG, 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.0079 dated 06.07.2023 (Annexure P-1) registered under Section 379-B IPC at Police Station Raja Sansi, District Amritsar Rural.
2. The FIR in the present case was registered on the basis of statement of complainant namely Kulwinder Kaur D/o Ajit Singh and the same has been reproduced as under:-

*“Statement of Kulwinder Kaur d/o Ajit Singh Age 35 years Mobile No. 82848-44496 r/o Ward No. 7, Raja Sansi PS Raja Sansi, Tehsil Ainala and District Amritsar stated that I am r/o the above said address and do domestic work. I have one mobile of Samsung Galaxy Z Flips 5G and IMEI number of this Mobile phone is 352334/25/543691/4 and 352399/93/543691/5. On 04-07-2023 around 9:40 PM I was standing outside my house in the street and at that time my neighbor Shiv Shankar s/o Devidas r/o Ward No. 7*

*Raja Sansi was talking to me. I was holding my Samsung Galaxy Z Flips 5G Mobile in my hand at that time, two unknown persons came on a black color splendor motorcycle and snatched away my mobile phone from my hand and fled away on their motorcycle to whom I can recognize by face. I Purchased this mobile on 19- 2-2012 from Tiger Communications Samsung Smart Cafe 26-27/1 Hall Bazar, Amritsar. There was AirTel Company SIM No. 95179-8329 in my mobile phone. Till now I have been looking for my mobile on my own level but could not find it. Now I was going to report the matter to police station for snatching of my mobile phone and you met on the way, I have got recorded my statement, Legal action should be taken against these unknown persons. The statement has been recorded and read over to complainant”.*

3. Learned counsel for the present petitioner contends that the petitioner was arrested in the present case on 20.10.2023 and challan has already been presented against him in the present case. He further contends that the petitioner has no criminal antecedents and his custody will not serve any meaningful purpose.

4. On the other hand, [Mr. Mohit Chaudhary, AAG, Punjab](#) 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 is not entitled for the concession of regular bail.

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

6. The petitioner is in custody for the last 03 months and final report under Section 173 Cr.P.C. has already been presented against him before the Competent Court. However, in the considered

opinion of the Court, 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.

(N. S. SHEKHAWAT)

JUDGE

18.01.2024

M.Sikka

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No