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

CRM-M-6092-2024

Date of decision : 09.02.2024

Avtar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present : Mr. Dheeraj Mahajan, Advocate
for t he petitioner.

Mr. Gurlal Singh Dhillon, Asstt. A.G. Punjab.

HARKESH MANUJA.J. (ORAL)

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.234 dated 01.11.2023, registered under Section 379-B of IPC at Police Station Chheharta, District Amritsar, wherein the petitioner has been implicated on the basis of having snatched a mobile phone from the complainant.

2. The prayer made on behalf of the petitioner has been opposed by learned State counsel. While referring to the nature of offence, learned State counsel submits that such cases are rising day by day. Besides, the recovery of mobile in question has been effected from the petitioner.

3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the

petitioner.

4. The petitioner has already undergone incarceration of about 3 months now and the petitioner is not involved in any other criminal case of similar nature. Moreover, the petitioner has volunteered to compensate the complainant for a sum of Rs. 10, 000/-, which shall be released in favour of the complainant.

5. Considering the fact that the investigation in the present case, already stands concluded with the filing of challan and trial is likely to take some time, besides it, the petitioner is already behind the bars for the last almost 3 months now I do not find any reason to extend the incarceration of the petitioner any further.

6. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

7. It is made clear that this order may not be construed as expression of an opinion on the merits of the case.

8. This order, however, shall be subject to the petitioner paying a sum of Rs.10,000/- as compensation to the complainant which is out of his own volition.

(HARKESH MANUJA)
JUDGE

09.02.2024
monika

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