

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9434-2024
Date of Decision:27.02.2024

Simranjit Singh ...Petitioner

vs.

State of Punjab ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Nirmaljeet Singh Sidhu, Advocate
for the petitioner.

Mr. Shiva Khurmi,AAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.PC with a prayer to grant regular bail to him in case FIR No. 186 dated 04.10.2023, registered under Sections 379-B of IPC, Police Station Sadar Khanna, Police District Khanna, District Ludhiana.
2. The FIR was initially registered on the basis of the statement made by Jagmail Singh son of Chhinder Singh and the same has been reproduced below:-

“Statement of Jagmail Singh S/O Chhinder Singh R/O Village Kaidopur, Police Station Sadar Nabha, District Patiala, aged about 30 years, Mob. No. 79864-0371. Stated that I am resident of above said address. On dated 07.09.2023, I came to Khanna from home for personal work on my activa bearing reg. No. PB34C7392 in the evening. At about 7/8 PM, I reached near Sai Mandir Galwadi while entering in Khanna City, at about some distance from Mandir 2 hair cut persons were standing on the corner of the

road, they came in front of me and signalled to stop on the road side. Both the persons held me from my arms and took me to vacant plot and started manhandling me and started demanding money from me and conducted my search. I said them that I did not have any money and both the persons suddenly snatched my touch screen mobile phone “make oppo colour blue” from my hand and pushed me and I had fallen down on the ground and then they ran away from the spot. I was conducting their search at my own level till now and I came to know that the both the persons who had snatched my mobile phone were Kundan Sharma S/O Joginder Sharma R/O Khanna Khurd and Sumranjit Singh S/O Jang Singh R/O Khanna Khurd Police Station City-2, Khanna and legal action may kindly be taken against them. I have got my statement recorded to you and it is read over and is correct. Sd/- Jagmail Singh”.

3. Learned counsel for the petitioner contends that in the present case the FIR has been got registered by the complainant after a delay of about 27 days. Even the story projected by the prosecution in the present case is highly unbelievable. He further contends that the petitioner was arrested in the present case on 07.10.2023 and the challan has already been presented against him.

4. On the other hand learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that there is one more case against the present petitioner, however, the petitioner has already been acquitted in the said case.

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

6. The petitioner was arrested in the present case on 07.10.2023 and is in custody since then. Even the mobile phone, which was allegedly snatched

from the complainant has already been recovered from the present petitioner. Even final report under Section 173 Cr. P.C has already been presented and no purpose will be served by keeping the petitioner behind the bars.

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

27.02.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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