

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

237

CRM-M-16434-2024
Date of Decision:09.04.2024

MANISH KUMAR

.....Petitioner

Vs.

STATE OF PUNJAB

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vishal Sharma (Vasudeva), Advocate
for the petitioner.

Mr. Baljinder Singh, DAG,Punjab.

DEEPAK GUPTA, J.(ORAL)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail in case FIR No.169 dated 25.10.2023 under Sections 379-B and 34 of IPC and Section 411 IPC added later on, registered at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib, Punjab.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated simply on the basis of secret information and that no FIR was ever lodged by anybody by alleging theft and snatching.

3. Notice of motion.

4. Mr. Baljinder Singh, DAG, Punjab, accepts notice on behalf of the respondent-State.

5. Perusal of the order dated 14.12.2023 passed by learned Special Court, Sri Muktsar Sahib, whereby the bail petition of the petitioner was declined, would reveal that FIR was lodged on the basis of secret information to the effect that the petitioner along with others were habitual of committing theft of mobile phones from the passersby after causing injuries to them with deadly weapons and that they used to run away and sell the stolen mobile phones in

Jalalabad City. During investigation, it is alleged that a mobile phone was recovered from the possession of the petitioner.

6. On specific query put to learned State Counsel, it is conceded that no FIR was ever registered against the petitioner regarding any theft or snatching of mobile by anybody.

7. The custody certificate reveals that petitioner is in custody for the last 05 months and 12 days. He is not involved in any other case.

8. In view of the afore-said facts and circumstances, but without commenting anything upon the merits of the case, petition is allowed. Petitioner is admitted to regular bail and is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned, on usual terms and conditions.

09.04.2024

pry

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes
Whether Reportable	No