

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

**Neutral Citation No. 2024:PHHC:050845
CRM-M-17347-2024
Date of Decision: April 16, 2024**

Ajay ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. H.S. Sidhu, Advocate for the petitioner.

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 (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 or snatching. Learned counsel also submits that similarly placed co-accused, namely, Manish Kumar has already been allowed bail by this Court vide order dated 09.04.2024 passed in CRM-M-16434-2024.

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 19 days. He is not involved in any other case.

8. In view of the aforesaid 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.

April 16, 2024
sarita

(DEEPAK GUPTA)
JUDGE

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