

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

**2024:PHHC:063204
CRM-M-21545-2024
Date of Decision: May 07, 2024**

Vishal Singh @ Kalu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Harmanpreet Singh, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

By way of present petition under Section 439 Cr.P.C., petitioner prays for his release on regular bail in a case arising out of FIR No.86 dated 29.03.2023, under Sections 379B and 34 of IPC (Section 411 IPC added later on), registered at Police Station Sadar Amritsar, District Police Commissionerate Amritsar.

2. This is the second petition. The earlier petition bearing No.CRM-M-2154-2023 was dismissed as withdrawn vide order dated 05.04.2024 (copy Annexure P-5).

3. As per the allegations of the prosecution, on 28.03.2023, 03 youths on a motor cycle came from behind and snatched the mobile phone of complainant Satnam Singh. Petitioner is alleged to be one of the snatchers.

4. Learned counsel for the petitioner contends that the matter has since been compromised. Copy of affidavit of complainant - Satnam Singh in this regard is Annexure P-2. It is further submitted that similarly placed co-accused, namely, Sunny Alli has already been allowed bail by this Court vide order dated 16.02.2024 passed in CRM-M-7225-2024 (copy Annexure

P-3). Learned counsel further submits that the petitioner is in custody for the last more than 01 year and 01 month; and that the trial may take long time to conclude, so he be allowed bail.

5. Notice of motion.

6. Mr. Sahil R. Bakshi, AAG, Punjab accepts notice on behalf of the respondent-State.

7. Learned State counsel could not refute the aforesaid contention to the effect that case of the petitioner is on the similar footing to that of co-accused – Sunny @ Alli. The custody certificate placed on record would reveal that the petitioner is in custody for the last 01 year, 01 month and 04 days, though he is involved in one more case of the similar nature.

8. Learned State counsel, on instructions from ASI Gurcharang Singh, also informs that out of 09 witnesses cited by the prosecution, not even a single witness has been examined so far and thus trial is likely to take long time to conclude.

9. Having regard to all the aforesaid facts and circumstances, but without commenting anything further on the merits of the case, petitioner is admitted to bail. He is ordered to be released on bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

May 07, 2024

sarita

(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No