

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.23256 of 2024
Date of Decision: 04.09.2024

Manjeet @ Manjit Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Naveen Bawa, Advocate,
for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner seeking regular bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
45	02.03.2024	Focal Point, District Police Commissionerate Ludhiana	379-B of IPC

2. Brief facts of the case relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Navneet Singh alleging therein that on 02.03.2024, he was going towards his factory on his cycle. Satish Raut a co-worker was also following him on his cycle. When they reached near Goldstar Factory, Focal Point, Ludhiana at about 7 AM, suddenly three youths riding on a splendor make motorbike came from back side. They stopped the bicycles of complainant and Satish Raut and

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by extending threats to them and by showing an iron dah, they forcibly snatched his mobile phone make Vivo having sim card No.9569879196 and mobile phone Jio of Satish Raut and then fled away. After registration of FIR, investigation proceedings were initiated. On 05.03.2024, the complainant recorded a supplementary statement to the effect that he had come to know that the petitioner along with co-accused Ravi Kumar and Abhishek Singh had snatched their mobile phones by using a motorcycle bearing registration No.PB-10HZ-0854.

3. As per the allegations, the petitioner and co-accused were arrested on 06.03.2024. On conducting their search, two mobile phones were recovered from their custody. The accused Ravi Kumar disclosed that the mobile phone snatched from the complainant had been sold by him to some passerby. The mobile phone belonging to Satish Raut was recovered from co-accused Abhishek Singh which was duly identified by him. Offence under Section 411 of IPC was added. Investigation has since been completed and challan has been presented in the Court. The petitioner had moved an application for grant of bail which had been dismissed by the Court of learned Additional Sessions Judge, Ludhiana vide order dated 24.04.2024.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR and has been nominated subsequently. He is in custody since 06.03.2024. Trial is likely to take time. No useful purpose would be served by detaining him in custody any more. There are no chances of his absconding or intimidating the witnesses. Therefore, it is urged that the petition deserves to be allowed.

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5. Status report has been filed by the respondent-State. It is submitted therein and learned State counsel has argued that there are serious allegations against the petitioner. There are chances of his absconding or even intimidating the witnesses who are yet to be examined. Therefore, it is argued that the petition does not deserve to be allowed.
6. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record.
7. The petitioner along with the co-accused is alleged to have snatched the mobile phone belonging to the complainant and his companion on 02.03.2024. He was arrested on 06.03.2024. No recovery has been effected from him. He does not have any criminal antecedents. The trial is likely to take time. His detention will not serve any purpose. It is well settled proposition of law that bail is the rule and jail is an exception. It is also a debatable as to whether the offence under Section 411 of IPC has been made out against him or not at all? In view of the above discussed facts and circumstances, the petition is allowed. The petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court.
8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

04.09.2024
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No