



CRM-M-24620-2024

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

280

CRM-M-24620-2024

Date of Decision : May 23, 2024

SUKHWINDER KUMAR

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Ashish Bakshi, Advocate
for the petitioner.

Mr. Raghav Garg, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition filed under Section 439 Cr.P.C. the petitioner prays for grant of regular bail in case FIR No.45 dated 12.4.2023, under Sections 379-B(2) IPC, later on under Sections 411 and 34 IPC were added, registered at Police Station Meharban, Ludhiana.
2. The allegation against the present petitioner is that he is one of the co-accused, who snatched the mobile phone from the victim and also caused injuries in the process of snatching.
3. In the asking for the relief (supra), the learned counsel for the petitioner submits that the petitioner has suffered incarceration of 1 year, 1 month and 6 days as on today and the charges have been framed and no prosecution witness has been examined so far. He further submits that he is not a previous convict and is not involved in any other case.
4. The Learned State counsel on instructions imparted to him

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by ASI Gurmit Singh submits that the charges have been framed and out of total 10 cited witnesses, 1 has been examined. However, he admits the fact that the petitioner is not involved in any other criminal case. The custody certificate filed by the State makes revelations that the petitioner has suffered incarceration of 1 year, 1 month and 6 days.

5. Considering the fact that the petitioner has suffered incarceration of 1 year, 1 month and 6 days as on today and the fact that the trial is at the initial stage and the petitioner is not involved in any other case. this Court deems it appropriate to extend the benefit of regular bail to the petitioner. Therefore, the present petition is **allowed**.

6. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

7. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

May 23, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No