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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-25246-2024 (O&M)
Date of Decision:- 04.09.2024

AKASHDEEP SINGH @ AKASH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Satpal Sachdeva, Advocate for
Mr. S.S. Killianwala, Advocate for the petitioner.

Mr. Adesh Pal Singh, AAG Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
133	01.08.2023	379-B and 411 IPC	City Malout, District Sri Muktsar Sahib

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has no criminal antecedents. He submits that a false case has been planted against him and he is in custody since 01.08.2023. He further submits that after the completion of investigation, challan has been presented in Court and none of the witnesses has been



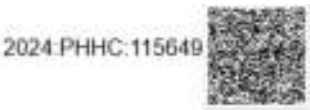
examined till date. Thus prayed for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel on the basis of *pairvi* report has assailed the arguments advanced by learned counsel for the petitioner and submitted that the petitioner had been indulging in snatching and consequent upon his apprehension, one mobile phone and a motorcycle had been recovered from him. As such, the petitioner does not deserve the concession of bail.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that as per the allegations levelled in the FIR, the petitioner is alleged to have snatched the mobile phone of the complainant. Consequent upon his arrest on 01.08.2023, the mobile phone as well as one motorcycle alleged to have been stolen by the petitioner have been recovered from him. The petitioner is in custody since 01.08.2023 and he is not having any criminal antecedents, as is evident from the custody certificate dated 02.09.2024, supplied by learned State counsel. After the completion of investigation, challan has already been presented in the Court. The prosecution has cited as many as 15 witnesses, but none has been examined till date. The criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case,



the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

- 7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.
- 8. Pending miscellaneous application(s), if any, stand disposed of.

(SANJIV BERRY)
JUDGE

04.09.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |