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

CRM-M-50213-2024**Date of Decision: 18.10.2024**

Onkar Singh

...Petitioner

vs.

State of Punjab

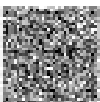
...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Rajesh K. Dadwal, Advocate, for the petitioner.
Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. On the oral request made by learned counsel for the petitioner, the offence under Section 411 of IPC is ordered to be added in the headnote as well as the prayer clause of the main petition. Learned counsel for the petitioner is directed to carry out the necessary correction in the Court itself.
2. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail in case FIR No.24 dated 26.03.2024 registered under Sections 379-B, 34 of IPC (offence under Section 411 IPC added later on), at Police Station Chabbewal, District Hoshiarpur.
3. The FIR in the present case was got registered by Raj Kumar son of late Sh. Sadhu Ram, who alleged that two mobile phones and Rs.4,500/-, were snatched from the complainant.
4. Learned counsel for the petitioner submits that the FIR was initially registered against unknown persons and the petitioner has been falsely involved in the present case only on the basis of suspicion. He further submits that similarly placed co-accused, namely, Suraj Kumar @ Mola has already been granted the concession of regular bail by this Court, vide order dated



31.07.2024 passed in CRM-M-35388-2024 (Annexure P-2). He further contends that in the present case, challan has already been presented against him and the conclusion of the trial may take quite a long time as no witness has been examined so far.

5. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

6. I have heard the learned counsel for the parties and perused the record.

7. The petitioner was arrested in the present case on 01.05.2024 and is in custody since then. Apart from that, the final report under Section 173 Cr.P.C. has already been presented and the trial is yet to formally commence against the petitioner. Moreover, the petitioner is the first offender and no purpose will be served by keeping him behind bars. Apart from that, similarly placed co-accused Suraj Kumar has already been granted the concession of regular bail by this Court, vide order dated 31.07.2024 (Annexure P-2).

8. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

18.10.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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