

2062024:PHHC:000440

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M-64475-2023

Date of Decision: January 05, 2024

KARAN.....Petitioner

Versus

UT CHANDIGARH.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Aditya Anand, Advocate for the petitioner.

Mr. Manish Bansal, Public Prosecutor, U.T., Chandigarh.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No. 94 dated 25.08.2023 registered under Sections 379-A, 411 and 34 IPC at P.S. Manimajra, District Chandigarh (Annexure P-1) wherein, the petitioner has been implicated against snatching of a mobile phone from the complainant.
2. The prayer made herein has been opposed at the instance of learned State counsel while referring to the antecedents of the petitioner who was involved in two other FIRs as well.
3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.
4. In the present case, the investigation already stand concluded with the filing of challan followed by framing of charges, however, none of the prosecution witness has been examined so far

whereas, the petitioner is behind the bars for a period of almost 4 months and 8 days now and as per the instructions received by the learned counsel representing the petitioner, the petitioner is even ready to compensate the complainant against non-refundable sum of Rs.10,000/- as a voluntary measure without prejudice to his rights in the trial. Considering the aforesaid circumstances, this Court does not find justification to extend his incarceration any further.

5. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate and deposit of Rs.10,000/- with the trial Court at the time of his release, which shall be released in favour of the complainant upon due verification.

05.01.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>

