



CRM-M-59765-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(227)

CRM-M-59765-2024
Date of Decision : 04.12.2024

Raju ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Charitr Kadyan, Advocate for
Mr. Vinod K. Kaushal, Advocate
for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, filed under Section 439 Cr.P.C., a prayer is made for grant of regular bail to the petitioner, in case FIR No.225 dated 29.12.2023 (Annexure P-1), under Section 379-B of the IPC, 1860 (offence under Sections 379-B(2), 201 and 411 of the IPC, 1860, added later on), registered at Police Station Kamboj, District Amritsar Rural, Amritsar.
2. The allegations against the present petitioner are of snatching a mobile phone, cash of Rs.8,000/-, and a purse containing some important documents of the complainant, by showing a *datar*.
3. On asking for the relief (supra), learned counsel for the petitioner submits that the petitioner has suffered incarceration of about 10 months, as on date, and he has clean antecedents.
4. On the other hand, learned State counsel, on instructions imparted to her from the investigating officer concerned, while opposing the relief asked for by the petitioner, informs this Court, that in the instant FIR,



were framed on dated 04.11.2024, and till date, no prosecution witness has been examined, whereas, the prosecution has cited total 09 witnesses.

5. Learned State counsel has also placed on record the custody certificate dated 03.12.2024, qua the petitioner, today in the Court. The same is taken on record, which reflects that the petitioner has suffered incarceration of 10 months and 09 days, as on today, and the petitioner is not involved in any other case.

6. This Court has heard the rival submissions, as made by the learned counsel for the parties concerned, and is of the view that the instant petition is amenable to be allowed for the reasons hereinafter extracted :-

- (i) that the petitioner has suffered incarceration of about 10 months and 09 days, as on date;*
- (ii) that the petitioner is not involved in any other case, and has clean antecedents;*
- (iii) that the trial is yet to begin in the instant FIR*

7. Keeping in view the facts and circumstances of the case, this Court deems it appropriate to enlarge the petitioner on regular bail. Accordingly, the instant petition is **allowed**.

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

9. However, anything observed hereinabove shall have no effect on the merits of the case and is meant for deciding the present petition only.

(KULDEEP TIWARI)
JUDGE

December 04, 2024
Manpreet