



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

225

CRM-M-59948-2024

Date of decision: 14th January, 2025

Lalo

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sukhbir Maandi, Advocate for the petitioner.

Ms. Swati Batra, Deputy Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 188 dated 09.10.2023 registered under Sections 379-B(2) and Section 34 of IPC, 1860 at Police Station Beas, District Amritsar (Rural).

2. The aforementioned FIR had been registered on the basis of statement got recorded by the complainant Ravinderjit Kaur on 09.10.2023, making allegations that on the same day, two muffled faced youths riding on a bike had assaulted her physically and had snatched her mobile phone and then escaped. After registration of FIR, investigation proceedings were initiated. The petitioner was apprehended on the basis of a secret information on the same day. The motorcycle used in the commission of offence of snatching was recovered at his instance. He suffered disclosure



statement admitting his involvement in the offence and got recovered the snatched mobile. Co-accused was also arrested subsequently. Investigation has been concluded.

3. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case. Custody certificate has been filed by respondent-State, as per which, the petitioner has undergone a period of one year and three days in custody. No other case been registered against him. He has clean antecedents. Trial is likely to take time. As such, his further detention would not serve any useful purpose. Therefore, it is urged that he deserves to be released on bail.

4. Learned State counsel has placed on record custody certificate and has argued that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be given benefit of bail.

5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record carefully.

6. The petitioner along with the co-accused is alleged to have snatched mobile phone from the complainant as on 09.10.2023. The petitioner is in custody since 09.10.2023. The trial has commenced and will take time to conclude. The petitioner has no criminal antecedents. No useful purpose would be served by keeping him in custody anymore. It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the period of incarceration of the petitioner, the nature of subject offence and the attending facts and circumstances of the case but



without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

14th January, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*