

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

**CRM-M No. 40125 of 2019
Date of Decision:-24.09.2019**

Gurdeep Singh @ Manna

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Vishavdeep Singh Rana, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner-Gurdeep Singh @ Manna has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 252 dated 07.9.2017, under Sections 379B and 336 IPC and Section 25 of Arms Act, 1959, registered at Police Station Samrala, District Ludhiana, Punjab. The petitioner was brought before the Court through production warrants on 29.12.2017.

The FIR was registered on the statement of complainant Jagjit Singh, wherein it was alleged that on 06.9.2017 when complainant alongwith his uncle Dalbir Singh was travelling in his vehicle i.e. car

bearing registration No.PB-65-W-0083 and reached near Bagli Kalan, they stopped the car and his uncle went to purchase some grocery items. Then three persons came near the vehicle and one of them took out the pistol and snatched away the vehicle from him after firing. The said vehicle was containing one mobile set of nokia model 3310, ATM Cards of Axis Bank and Punjab & Sind Bank, driving license, Pan card, Aadhar Card of his uncle and Rs.10,000/- cash alongwith copy of RC and insurance of the car.

Learned counsel for the petitioner contends that investigation of the case is complete and charges have also been framed against the petitioner. However, the prosecution is yet to examine its witnesses and the same is likely to consume considerable time. According to him, keeping in view the period of detention, which is more than two years, further custody of the petitioner may not be justified.

On the other hand, the prayer is opposed by learned State counsel who is assisted by HC Swaran Singh on the ground that the petitioner is involved in various other cases. He has filed the custody certificate by way of affidavit of Manjit Singh Sidhu, PPS, Deputy Superintendent, Central Jail, Patiala. It is submitted that in six of the cases he has already been acquitted and in some of the cases the trial is pending. Besides the petitioner is already convicted in some of the cases. It is contended that the petitioner does not deserve the concession of bail.

Considering the above, this Court finds that as no witness has been examined by the prosecution so far, further custody of the petitioner may not be justified. Resultantly, without meaning any expression of

opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing the requisite bail bonds and surety bonds to the satisfaction of the trial Court, Ludhiana.

The petition is allowed.

September 24, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No